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6-25-2001

**Crissman v. Dover Downs Ent. Inc.**

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Filed June 25, 2001

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 00-5178

CHARLES CRISSMAN;  
WENDY CRISSMAN;  
\*CHRISTINE CRISSMAN,

Appellants

v.

DOVER DOWNS ENTERTAINMENT INC.;  
DOVER DOWNS, INC.

\* (Dismissed as Party per Court's 11/8/2000 Order)

On Appeal From the United States District Court

for the District of Delaware  
D.C. No.: 99-cv-00755-RRM  
District Judge: Honorable Roderick R. McKelvie

Argued: December 5, 2000.

Before: McKEE, ROSENN, and CUDAHY,\*  
Circuit Judges.

(Opinion Filed: January 29, 2001)

Present: BECKER, Chief Judge, SLOVITER, MANSMANN,  
SCIRICA, NYGAARD, ALITO, McKEE, RENDELL, BARR Y,  
FUENTES, and ROSENN,\*\* Circuit Judges .

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\* Hon. Richard D. Cudahy, Senior Judge, United States Court of Appeals  
for the Seventh Circuit, Sitting by Designation.

\*\* Judge Rosenn's vote is limited to panel rehearing only.

ORDER

A majority of the active judges having voted for rehearing en banc in the above appeal, it is ORDERED that the Clerk of this Court vacate the opinion and judgment filed January 29, 2001 and the Published Panel Opinion Sur Petition for Rehearing filed June 5, 2001, and list the above for rehearing en banc at the convenience of the Court.

BY THE COURT:

/s/ Edward R. Becker  
Chief Judge

DATED: 25 June 2001

A True Copy:  
Teste:

Clerk of the United States Court of Appeals  
for the Third Circuit