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for the Third Circuit

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8-23-2001

## Henglein v. Colt Ind Operating

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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Nos. 00-2529 & 00-2746

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GEORGE W. HENGLEIN;  
L. C. ALBACKER; R. B. ANDREWS;  
R. L. APPELDORN; R. H. ASHENBAUGH;  
A. L. AUSTIN; J. W. BAGOSI; J.D. BALSER;  
A. BARRASSO; J. O. BAUER; E. E. BEST;  
H. W. BIGLEMAN; C. R. BLAZIER; J. P. BRESSANELLI;  
G. D. BROWN; F. C. BUCHHOLZ; E. C. CALVIN;  
R. R. CAMPBELL; P. D. CASTELLANO; J. L. CERASI;  
E. CHAPMAN; S. CHRISTY; T. M. COSTELLO;  
C. A. DAUKA; A. J. DECOSTA; M. G. DEGRANDE;  
A. S. DICCIO; A. P. DIMARZIO; C. J. DIMARZIO;  
R. J. DOUGHERTY; M. DRUGA; E. P. ERATH;  
E. P. FAHNERT; H. FARRINGTON; M. FERLAINO;  
R. D. FEYDO; E. R. FINGER; J. N. FLARA;  
N. E. FREDERICK; J. P. FRENN; R. E. FRONKO;  
L. L. GIBBS; W. L. GLEASON; L. E. GORDON;  
R. W. GOTT; J. E. GRIMM; P. E. GRUBBS; E. R. GUERRA;  
A. J. GULUTZ; J. T. HAAF; J. D. HAMACHER, JR.;  
P. J. HANNON; R. M. HANSEN; M. I. HARPHAM;  
D. H. HELDMAN; J. K. HILE; R. S. HOGSETT;  
R. T. HOPPER; H. M. HOWELL; W. M. HYAMS;  
J. M. JANKE; C. L. JOBE; K. H. JOHNS;  
R. O. JOHNSON, JR.; E. T. JONES; R. KAO;  
D. P. KERR, JR.; P. A. KEYS; R. W. KNALLAY;  
E. E. KNAPEK; W. J. KOFALT; S. W. KOHLER;  
T. KOMINITSKY; T. R. KRUPA; P. R. KULLEN;  
J. R. KUNDICK; W. LAKE; D. F. LAVENE; T. T. LEHMANN;  
R. H. LEWIS; R. A. LIPPERT; W. R. LIVINGSTON;  
J. H. LUTTON; A. J. LYNN; D. B. MCCLAIN;  
P. F. MCNICOL; E. L. MARSH; F. S. MATSUKAS;  
H. J. MERCER; A. R. MIDDLETON; M. MITROVICH;  
M. A. MOLCHAN; R. A. MONTGOMERY; R. T. MORELLI; A. N.  
MORRISON; H. MRAUNAC; M. R. MUCKIAN;  
C. W. MURRAY, III; C. J. MYERS; L. V. NAGLE;  
D. A. NOBERS; J. A. NUZO; E. ORDICH; W. H. ORR;  
T. H. PARSONS; A. J. PASKO; H. S. PEASE, III;  
G. J. PESCIION; G. V. PETERSON; J. J. POPP;  
G. P. PORTO; G. POSTICH; D. E. POWELL;  
R. W. PRENTICE; J. V. PRESUTTI; W. C. PRICE;  
L. E. RAYKOVICS; T. R. REED; J. W. REIDER; J. J. ROSE;  
A. J. ROSEPILLER; C. S. RUSSELL; K. E. SANDERS;  
M. A. SARVER; P. K. SCHAKE; J. W. SCHOLTZ;  
A. H. SCHELIN; M. L. SHERRY; F. R. SHUSS;  
W. W. SIMPSON; A. E. SIX; J. E. SMITH; E. H. SPAZIANI;  
W. H. STEPHENS; C. D. STROSNIDER; J. F. SUFFOLETTA;

H. L. TAYLOR; K. E. THOMAS; F. S. THORNBERRY, JR.;  
J. R. TICE; D. A. TOWNLEY; R. TRBOVICH; R. T. TURNER;  
H. B. VAN FOSSEN; R. R. VLAH; A. VRANES; S. VRANES;  
D. W. WARE; K. G. WASSMAN; G. T. WEEKLEY;  
E. M. WERRIES; D. L. WESTFALL; J. A. WHITEHEAD;  
R. J. WHITTEN; C. K. WILDMAN; T. WILLIAMS, JR.;  
T. H. WILLS; A. J. YANNI; L. H. YOUNG, JR.;  
R. C. YOUNG; H. F. YUTE,

Appellants

v.

COLT INDUSTRIES OPERATING CORPORATION,  
informal plan for plant shutdown benefits for  
salaried employees and Colt Industries Operating  
Corporation Plan for maintaining benefits for  
salaried employees in parity with benefits granted to  
union represented employees.

Cross-Appellants

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
(D.C. No. 86-cv-02021)  
District Judge: Honorable Donald J. Lee

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Argued May 3, 2001  
Before: NYGAARD, WEIS, Circuit Judges, and KAUFFMAN,  
District Judge

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ORDER AMENDING SLIP OPINION

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IT IS HEREBY ORDERED that the Slip Opinion in the above case  
filed  
August 10, 2001, be amended as follows:  
Page 19, line 2 should read:  
the intention of the sponsor as was not inadmissible.

BY THE COURT:

/s/Joseph F. Weis

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United States Circuit Judge

Dated: August 23, 2001

