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Blackwell Health Center v Knoll

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 94-1954

ELIZABETH BLACKWELL HEALTH CENTER FOR WOMEN;
GREATER PHILADELPHIA WOMEN'S MEDICAL FUND;
CHOICE, on behalf of themselves and the Medicaid-eligible
women of the Commonwealth of Pennsylvania to whom they
provide financial, health care and counseling services

v.

CATHERINE BAKER KNOLL, Treasurer of the Commonwealth of
Pennsylvania, in her official capacity; KAREN F. SNIDER,
Secretary of Public Welfare of the Commonwealth of
Pennsylvania, in her official capacity;
SHERRY KNOWLTON, Deputy Secretary of the Office of
Medical Assistance of the Commonwealth of Pennsylvania,
in her official capacity; ROBERT P. CASEY, Governor of
the Commonwealth of Pennsylvania, in his official capacity,
and their successors

Catherine Baker Knoll, Karen F. Snider,
Sherry Knowlton and Robert P. Casey,

Appellants

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. No. 94-cv-00169)

Argued January 13, 1995

Before: COWEN, NYGAARD and ALITO,
Circuit Judges

(Opinion Filed July 25, 1995)

ORDER AMENDING DISSENTING OPINION

It is hereby ordered that the dissenting opinion of Judge Nygaard be amended as follows:

On page 48 of the slip opinion, line 9 (typescript at 25, line 6), between the phrases "a conclusion." and "I therefore", insert the following citation:

See Neely v. Club Med Management Servs., Inc., Nos. 93-2069, 93-2102, __ F.3d ____, 1995 U.S. App. LEXIS 19904, *26, 1995 WL 442169, *9 (3d Cir. July 26, 1995) (in banc) (mere ambiguity in Supreme Court opinion insufficient to change existing decisional law).

/s/ Richard L. Nygaard
U.S. Circuit Judge

Dated: August 3, 1995