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2016 Decisions

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

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5-2-2016

## In re: NFL Players Concussion

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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15-2206, 15-2217, 15-2230, 15-2234, 15-2272, 15-2273  
15-2290, 15-2291, 15-2292, 15-2294, 15-2304 & 15-2305

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IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS CONCUSSION  
INJURY LITIGATION

Craig Heimburger; Dawn Heimburger,  
Appellants (15-2206)

Cleo Miller; Judson Flint; Elmer Underwood; Vincent Clark, Sr.;  
Ken Jones; Fred Smerlas; Jim Rourke; Lou Piccone;  
James David Wilkins, II,  
Appellants (15-2217)

Curtis L. Anderson,  
Appellant (15-2230)

Darren R. Carrington,  
Appellant (15-2234)

Raymond Armstrong; Nathaniel Newton, Jr.; Larry Brown;  
Kenneth Davis; Michael McGruder; Clifton L. Odom; George Teague;  
Drew Coleman; Dennis DeVaughn; Alvin Harper; Ernest Jones;  
Michael Kiselak; Jeremy Loyd; Gary Wayne Lewis; Lorenzo Lynch;  
Hurles Scales, Jr.; Gregory Evans; David Mims; Evan Ogelsby;  
Phillip E. Epps; Charles L. Haley, Sr.; Kevin Rey Smith; Darryl Gerard Lewis;  
Curtis Bernanrd Wilson; Kelvin Mack Edwards, Sr.; Dwayne Levels;  
Solomon Page; Tim McKyer; Larry Barnes; James Garth Jax;  
William B. Duff; Mary Hughes; Barbara Scheer,  
Appellants (15-2272)

Liyongo Patrise Alexander; Charlie Anderson; Charles E. Arbuckle;  
Cassandra Bailey, as Representative of the Estate of Johnny Bailey;  
Ben Bronson; Curtis Ceaser, Jr.; Larry Centers; Darrell Colbert; Harry Colon;  
Christopher Crooms; Jerry W. Davis; Tim Denton; Michael Dumas;  
Corris Ervin; Doak Field; Baldwin Malcolm Frank; Derrick Frazier;  
Murray E. Garrett; Clyde P. Glosson; Roderick W. Harris; Wilmer K. Hicks, Jr.;  
Patrick Jackson; Gary Jones; Ryan McCoy; Jerry James Moses, Jr.;

Anthony E. Newsom; Rance Olison; John Owens; Robert Pollard;  
Derrick Pop; Glenell Sanders; Thomas Sanders; Dwight A. Scales;  
Todd Scott; Frankie Smith; Jermaine Smith; Tyrone Smith; James A. Young, Sr.,  
Appellants (15-2273)

Scott Gilchrist, individually and on behalf of the Estate of  
Carlton Chester “Cookie” Gilchrist,  
Appellant (15-2290)

Jimmie H. Jones; Ricky Ray; Jesse Solomon,  
Appellants (15-2291)

Andrew Stewart,  
Appellant (15-2292)

Willie T. Taylor,  
Appellant (15-2294)

Alan Faneca; Roderick “Rock” Cartwright;  
Jeff Rohrer; Sean Considine,  
Appellants (15-2304)

James Mayberry,  
Appellant (15-2305)

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Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. Civil Action Nos. 2-12-md-02323 and 2-14-cv-00029)  
District Judge: Honorable Anita B. Brody

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Argued November 19, 2015

Before: AMBRO, HARDIMAN, and NYGAARD, Circuit Judges

(Opinion filed: April 18, 2016)

**ORDER AMENDING PRECEDENTIAL OPINION**

AMBRO, Circuit Judge

IT IS NOW ORDERED that the published Opinion in the above case filed April 18, 2016, be amended as follows:

On page 62, first full paragraph, line 13, add an “n” to “a” so the phrase reads “the lasting scars of an NFL career,”

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: May 2, 2016

mlr/cc: all counsel