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In Re: Jevic Holding Corp.

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 14-1465

In re: JEVIC HOLDING CORP., et al.,
Debtors

OFFICIAL COMMITTEE OF UNSECURED CREDITORS on behalf of the bankruptcy
estates of Jevic Holding Corp., et al.

v.

CIT GROUP/BUSINESS CREDIT INC.,
in its capacity as Agent;
SUN CAPITAL PARTNERS, INC.;
SUN CAPITAL PARTNERS IV, LP;
SUN CAPITAL PARTNERS MANAGEMENT IV, LLC
CASIMIR CZYZEWSKI; MELVIN L. MYERS;
JEFFREY OEHLERS; ARTHUR E. PERIGARD
and DANIEL C. RICHARDS,
on behalf of themselves and all others similarly situated,
Appellants

Appeal from the United States District Court
for the District of Delaware
(D.C. Nos. 13-cv-00104 & 1-13-cv-00105)
On Remand from the Supreme Court of the United States
(No. 15-649)

JUDGMENT ORDER

Before: HARDIMAN, SCIRICA and BARRY, Circuit Judges

On March 22, 2017, the Supreme Court of the United States reversed this Court's opinion and judgment entered May 21, 2015 and remanded the matter to this Court for further proceedings. The Supreme Court's mandate issued on April 24, 2017.

Accordingly, it is hereby ORDERED that the opinion and judgment of this Court is hereby VACATED.

Upon consideration of the opinion of the Supreme Court, it is hereby ORDERED and ADJUDGED that the judgment of the United States District Court for the District of Delaware is hereby VACATED and the matter is REMANDED to the District Court with direction to VACATE the judgment of the U.S. Bankruptcy Court for the District of Delaware and REMAND the matter to the Bankruptcy Court for further proceedings.

By the Court,
s/ Thomas M. Hardiman
Circuit Judge

Date: May 9, 2017

DWB/cc:

Tyler P. Brown, Esq.
Shannon E. Daily, Esq.
James P. Gillespie, Esq.
Christopher Landau, Esq.
Christopher D. Loizides, Esq.
Curtis S. Miller, Esq.
Richard P. Norton, Esq.
James E. O'Neill, III, Esq.
Jason R. Parish, Esq.
Jack A. Raisner, Esq.
Linda Richenderfer, Esq.
Rene S. Roupinian, Esq.
Craig Goldblatt, Esq.
Robert J. Feinstein, Esq.
Wendy Cox, Esq.
P. Matthew Sutko, Esq.