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## 2009 Decisions

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

9-9-2009

# Donlin v. Philips Lighting

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-4060

No. 07-4081

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COLLEEN DONLIN,

Appellee,

v.

PHILIPS LIGHTING NORTH AMERICA  
CORPORATION

d/b/a

Philips Lighting Company,

Appellant.

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On Appeal from the United States District Court  
for the Middle District of Pennsylvania  
(D.C. No. 05-cv-00585)  
District Judge: Honorable Richard P. Conaboy

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Present: SCIRICA, *Chief Judge*, FUENTES and HARDIMAN, *Circuit Judges*.

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**SUR PETITION FOR PANEL REHEARING**

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The judges who participated in the decision of this Court having considered the petition for rehearing filed by Philips Lighting North America Corporation in the above-entitled case, panel rehearing is hereby GRANTED for the reasons stated. The precedential opinion and judgment filed on April 23, 2009 are hereby VACATED and the attached opinion is filed forthwith.

By the Court,

/s/ Thomas M. Hardiman  
Circuit Judge

Dated: September 9, 2009

tmm/cc: Jacqueline E. Bedard, Esq.

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