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States Court of Appeals
for the Third Circuit

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Brittany Morrow v. Barry Balaski

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PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 11-2000

BRITTANY MORROW; EMILY MORROW,
Minors, In Their Own Right, And By Their Parents
and Natural Guardians, Bradley Morrow and Diedre Morrow;
BRADLEY MORROW; DIEDRE MORROW, Individually,
Appellants

v.

BARRY BALASKI, Individually;
THE BLACKHAWK SCHOOL DISTRICT

On Appeal from the District Court
for the Western District of Pennsylvania
(No. 2:10-cv-00292)
Chief Magistrate Judge Lisa Pupo Lenihan

Argued on October 10, 2012
Opinion Filed June 5, 2012

Before: McKEE, Chief Judge, SLOVITER, SCIRICA, RENDELL, AMBRO, FUENTES,
SMITH, FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR.,
VANASKIE and NYGAARD, Circuit Judges.

ORDER AMENDING OPINION

At the direction of the Court, it is hereby O R D E R E D that the opinion filed June 5,
2013 shall be amended.

Accordingly, the majority opinion is amended as follows:

1. Judge Ambro's participation in the majority opinion will be changed from "joins Section III B. of the majority only" to "joining in judgment as expressed";
2. "Fourteenth" on page 9 of the slip opinion will be changed to "Fourteenth";
3. The citation to "Fuentes Dissent 18" on page 14 will be changed to "Fuentes Dissent 21";
4. The citation to "Fuentes Dissent 18" on page 14, footnote 11, will be changed to "Fuentes Dissent 21";
5. The citation to "Fuentes Dissent 18-19" on page 15 will be changed to "Fuentes Dissent 21";
6. The citation to "Fuentes Dissent 3" on page 15 will be changed to "Fuentes Dissent 3-4";
7. The citation to "Fuentes Dissent 9" on page 16 will be changed to "Fuentes Dissent 10";
8. The citation to "Fuentes Dissent 9" on page 16, footnote 13 will be changed to "Fuentes Dissent 10";
9. The citation to "Fuentes Dissent 3" on page 17 will be changed to "Fuentes Dissent 3-4";
10. The citation to "Fuentes Dissent 14" on page 17, footnote 14, will be changed to "Fuentes Dissent 16";
11. The citation to "Fuentes Dissent 10" on page 18 will be changed to "Fuentes Dissent 12-15";
12. The citation to "Fuentes Dissent 13" on page 20 will be changed to "Fuentes Dissent 14-15";
13. The citation to "Fuentes Dissent 6 n.3" on page 21 will be changed to "Fuentes Dissent 7 n.3"; and,
14. The citation to "Fuentes Dissent 24" on page 27 will be changed to "Fuentes Dissent 29."

Judge Ambro's concurring and dissenting opinion is amended as follows:

1. The citation to “Fuentes Dissent 26 on page 2 will be changed to “Fuentes Dissent 31.”

Judge Fuentes’s dissenting opinion is amended as follows:

1. The citation to “Majority Op. at 13” on page 19 will be changed to “Majority Op. at 12”; and,
2. The citation to “Majority Op. at 26” on page 30 will be changed to “Majority Op. at 27.”

For the Court,

Marcia M. Waldron

Marcia M. Waldron, Clerk

Date: June 14, 2013

tmk/cc: Albert A. Torrence, Esq.

John J. Hare, Attorney