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2019 Decisions

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

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7-25-2019

## Tennessee Gas Pipeline Co v. Permanent Easement for 7.053 A

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**PRECEDENTIAL**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 17-3700

TENNESSEE GAS PIPELINE COMPANY, LLC

v.

PERMANENT EASEMENT FOR 7.053 ACRES,  
PERMANENT OVERLAY EASEMENT  
FOR 1.709 ACRES AND TEMPORARY  
EASEMENTS FOR 8.551 ACRES IN MILFORD  
AND WESTFALL TOWNSHIPS, PIKE COUNTY,  
PENNSYLVANIA, TAX PARCEL NUMBERS;  
KING ARTHUR ESTATES, A Limited Partnership;  
RIOTHAMUS CORP, General Partner of King Estates  
c/o Ernest Bertuzzi President; ALL UNKNOWN OWNERS  
AND INTERESTED PARTIES

King Arthur Estates, L.P. and Riothamus Corporation,  
Appellants

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APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE MIDDLE  
DISTRICT OF PENNSYLVANIA  
(D.C. No. 3-12-cv-01477)  
District Judge: Hon. A. Richard Caputo

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ORDER AMENDING OPINION

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It appears that certain references to the majority contained within the dissenting opinion did not identify the correct page number. Accordingly, the dissenting opinion is amended as follows:

Page 4, footnote 2, change “Maj. Op. 21” to “Maj. Op. 21-22”;

Page 7, first full paragraph, fifth line, change “Maj. Op. 17-18” to “Maj. Op. 18”;

Page 7, footnote 4, change “Maj. Op. 19-21” to “Maj. Op. 20-21”; and,

Page 8, second line, change “Maj. Op. 18” to “Maj. Op. 19”.

For the Court,

s/ Patricia S. Dodszeit  
Clerk

Date: July 25, 2019

cc: Albert F. Moran, Esq.  
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Sean T. O'Neill, Esq.  
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Elizabeth U. Witmer, Esq.