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10-16-2002

**In Re: Nahc Inc**

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PRECEDENTIAL

Filed October 16, 2002

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 01-4132

IN RE NAHC, INC. SECURITIES LITIGATION

JACK BRADY, ROGER W. SVEC, JACOB A. SALZMANN,  
DAVID FISHER, CHRIS PIETRAFITTA, FRANK J. SIEFERT,  
FRANZ SCHLEICHER, BARRY WEISBERG,  
BRUCE BARDONE,

Appellants

Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. No. 00-cv-4020)  
District Judge: Honorable Lowell A. Reed

Submitted under Third Circuit LAR 34.1(a)  
July 18, 2002

Before: McKEE, FUENTES and ALDISERT, Circuit Judges.

ORDER AMENDING SLIP OPINION

It is ordered that the slip opinion in the above filed  
October 3, 2002 be and is hereby amended as follows:

Delete on pages 3-4 the following: "Although we have  
adopted an inquiry notice standard in the context of a RICO  
case, see *Mathews v. Kidder, Peabody & Co., Inc.*, 260 F.3d  
239, 251 (3d Cir. 2001), we have not decided the precise  
standard in the context of a securities fraud claim."

Substitute in its place: "We have adopted an inquiry  
notice standard in the context of a case brought under the  
Racketeer Influenced and Corrupt Organizations Act  
("RICO"), 18 U.S.C. SS 1961-1968. See *Mathews v. Kidder,  
Peabody & Co., Inc.*, 260 F.3d 239, 251 (3d Cir. 2001). We  
have not, however, decided the precise standard in the  
context of a securities fraud claim."

BY THE COURT:

/s/Ruggero J. Aldisert  
Circuit Judge

Dated: October 16, 2002

A True Copy:  
Teste:

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