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Malaysia Shipping v. Sinochem Intl Co

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 04-1816

MALAYSIA INTERNATIONAL SHIPPING CORPORATION

Appellant

v.

SINOCHEM INTERNATIONAL CO. LTD.

Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 03-cv-03771)
District Judge: Honorable Franklin S. Van Antwerpen

Argued June 7, 2005

Before: AMBRO, STAPLETON and ALARCÓN*, Circuit Judges

(Opinion filed February 7, 2006)

ORDER AMENDING PUBLISHED OPINION

AMBRO, *Circuit Judge*

IT IS NOW ORDERED that the published Opinion in the above case filed February 7, 2006, be amended as follows:

On page 30, last line of text, after “(Breyer, C.J.) (same).”, add two spaces and insert the following text: “Stated differently, but with the same requirement of

*Honorable Arthur L. Alarcón, Senior United States Circuit Judge for the Ninth Circuit Court of Appeals, sitting by designation.

jurisdiction, we have held that the ultimate inquiry of *forum non conveniens* “is whether the retention of jurisdiction by the district court would best serve the convenience of the parties and the ends of justice.” *Mobil Tankers Co., S.A. v. Mene Grande Oil Co.*, 363 F.2d 611, 613 (3d Cir. 1966); *see also Hoffman v. Goberman*, 420 F.2d 423, 426 (3d Cir. 1970) (same).”

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: February 8, 2006

CMD/cc: Diane B. Carvell, Esq.

Ann-Michele G. Higgins, Esq.

Diane B. Carvell, Esq.