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2003 Decisions

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

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1-27-2003

## Foster v. Natl Fuel Gas Supply

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PRECEDENTIAL

Filed January 27, 2003

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 02-1494

THERESA C. FOSTER

v.

NATIONAL FUEL GAS COMPANY, a corporation;  
SMITH INDUSTRIES INC., a corporation;  
COLUMBIA GAS TRANSMISSION CORPORATION, a  
corporation; AMERICAN METER COMPANY, a corporation;  
DRESSER INDUSTRIES INC., a corporation; ECLIPSE  
INC.; EQUIMETER, INC., a corporation

NATIONAL FUEL GAS COMPANY,

Third Party Plaintiff

v.

SMITH INDUSTRIES, INC.; FREDERICK LOGAN  
COMPANY, INC.; AMERICAN METER COMPANY;  
EQUIMETER, INC.,

Third Party Defendants

EQUIMETER, INC.,

Appellant

Appeal from the United States District Court  
for the Western District of Pennsylvania  
(D.C. Civil Action No. 96-cv-00014E)  
District Judge: Honorable Sean J. McLaughlin

Submitted Under Third Circuit LAR 34.1(a)  
November 20, 2002

Before: BARRY and AMBRO, Circuit Judges  
ACKERMAN,\* District Judge

(Opinion filed January 21, 2003)

ORDER AMENDING OPINION

The slip opinion in the above case filed January 21,  
2003, is amended as follows:

On page 9, line 2, add the word "not" after "the regulators  
were" and before "defective."

BY THE COURT:

/s/ Thomas L. AmbroCircuit Judge

Dated: January 27, 2003

A True Copy:

Teste:

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

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\* Honorable Harold A. Ackerman, United States District Judge for the  
District of New Jersey, sitting by designation.