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2009 Decisions

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

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1-16-2009

# In Re: Hydrogen

Precedential or Non-Precedential: Precedential

Docket No. 07-1689

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-1689

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IN RE: HYDROGEN PEROXIDE ANTITRUST LITIGATION

Arkema Inc., Arkema France S.A.,  
FMC Corp., Kemira Chemicals  
Canada, Inc., Kemira OYJ,  
Appellants

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
D.C. Civil Action No. 05-cv-0666  
and MDL No. 1682  
(Honorable Stewart Dalzell)

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Argued April 17, 2008

Before: SCIRICA, *Chief Judge*, AMBRO and FISHER, *Circuit Judges*.

**ORDER AMENDING OPINION**

IT IS HEREBY ORDERED that the precedential opinion in the above-captioned case, filed December 30, 2008, be amended as follows:

Page 2: Insert the names

JOSEPH A. TATE, ESQUIRE

CHRISTINE C. LEVIN, ESQUIRE

after MICHAEL I. FRANKEL, ESQUIRE and before Dechert LLP

Page 54, lines 6 through 8, which read:

requirements is essential. *Newton*, 259 F.3d at 167 (quoting *Falcon*, 457 U.S. at 160) *Falcon*, 457 U.S. at 160; *Newton*, 259 F.3d at 167. Applying a presumption of impact based solely on

shall read:

requirements is essential. *Newton*, 259 F.3d at 167 (quoting *Falcon*, 457 U.S. at 160). Applying a presumption of impact based solely on

BY THE COURT,

/s/ Anthony J. Scirica  
*Chief Judge*

DATED: January 16, 2009  
CMD/cc: All Counsel of Record