

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 17-1889

FRANK LONG; JOSEPH SHIPLEY;
MICHAEL WHITE,
Individually and on Behalf of All Others Similarly Situated,
Appellants

v.

SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY

(E.D. Pa. No. 2-16-cv-01991)

Present: SMITH, Chief Judge, MCKEE, AMBRO, CHAGARES,
JORDAN, HARDIMAN, GREENAWAY, JR., VANASKIE, SHWARTZ,
KRAUSE, RESTREPO, BIBAS and FISHER*, Circuit Judges

SUR PETITION FOR REHEARING
WITH SUGGESTION FOR REHEARING EN BANC

The petition for rehearing filed by Appellee, in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the

* Judge Fisher's vote is limited to panel rehearing only.

circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT:

s/ D. Michael Fisher _____

Circuit Judge

Dated: October 5, 2018

PDB/cc: All Counsel of Record