

United States Court of Appeals

For the First Circuit

No. 07-1367

ACA FINANCIAL GUARANTY CORPORATION; DRYDEN NATIONAL MUNICIPALS FUNDS, INC.; JOHN MOORE; LOIS MOORE; SMITH BARNEY INCOME FUNDS/SMITH BARNEY MUNICIPAL HIGH INCOME FUND; T. ROWE PRICE TAX-FREE HIGH YIELD FUND, INC.,

Plaintiffs, Appellants,

DENISE MCKEOWN; ROBERT LUTTS,

Plaintiffs,

v.

ADVEST, INC.; KAREN SUGHRUE; GARRY CRAGO; JEAN CHILDS; PAULA EDWARDS COCHRAN; G. DAVIS STEVENS, JR.; JULIA DEMOSS; WILLIAM R. DILL; LESLIE A. FERLAZZO; JOYCE SHAFFER FLEMING; ERIC W. HAYDEN; CATHERINE CHAPIN KOBACHER; ANNE MARCUS; CELESTE REID; RICHARD J. SHEEHAN, JR.; JOSEPH SHORT; GREGORY E. THOMAS; SUSAN K. TURBEN; DONALD W. KISZKA,

Defendants, Appellees.

ERRATA SHEET

The opinion of this Court issued on January 10, 2008 is amended as follows:

On page 40, replace footnote 13 with the following new footnote: "These comments are case specific. We do not suggest that there is any special rule for scienter for not-for-profit institutions. Indeed, such institutions have been sued in the past on price fixing allegations. See United States v. Brown Univ., 5 F.3d 658 (3d Cir. 1993)."

On page 16, footnote 6, line 3, replace "Trustee's" with "Trustees'"

On page 44, line 16, replace "Secs." with "Sec."