## FOR PUBLICATION

## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

JEFFREY H. BECK, Liquidating Trustee of the Estates of Crown Vantage, Inc. and Crown Paper Company,

Appellant,

v.

PACE INTERNATIONAL UNION, on behalf of member and former member participants in pension plans sponsored by the Debtors; EDWARD MILLER; JEFFREY D. MACEK, on behalf of themselves and others similarly situated,

Appellees.

No. 03-15303

D.C. Nos. CV-02-01407-MHP 01-4375N Northern District of California, San Francisco

PACE INTERNATIONAL UNION, AFL-CIO, CHEMICAL & ENERGY
WORKERS INTERNATIONAL UNION, on behalf of members and former member participants in pension plans,

Appellant,

v.

JEFFREY H. BECK, Liquidating Trustee of the Estates of Crown Vantage, Inc. and Crown Paper Company,

Appellee.

No. 03-15331

D.C. Nos. CV-02-01407-MHP 01-4375N Northern District of California, San Francisco ORDER

## Filed August 2, 2007

Before: Stephen Reinhardt, Richard A. Paez, and Marsha S. Berzon, Circuit Judges.

## **ORDER**

The panel decision, 427 F.3d 668 (9th Cir. 2005), and memorandum disposition, 146 F. App'x 917 (9th Cir. Oct. 24, 2005), are VACATED. The district court's order affirming the bankruptcy court's decision is VACATED and REMANDED with instructions to remand to the bankruptcy court for further proceedings consistent with 551 U.S. \_\_\_\_, 127 S. Ct. 2310 (June 11, 2007).

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