

## UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 07-4465

JUSTIN LAYSHOCK, a minor,  
by and through his parents;  
DONALD LAYSHOCK;  
CHERYL LAYSHOCK, individually  
and on behalf of their son

v.

HERMITAGE SCHOOL DISTRICT  
KAREN IONTA, District Superintendent;  
ERIC W. TROSCHE, principal Hickory High School  
CHRIS GILL, Co-Principal Hickory High School, all in their  
official and individual capacity

Hermitage School District,  
Appellant

(WDPA Civil Action No. 06-cv-00116)

PRESENT: SCIRICA, Chief Judge, SLOVITER, McKEE, RENDELL, BARRY,  
AMBRO, FUENTES, SMITH, FISHER, CHAGARES, JORDAN,  
GREENAWAY and ROTH, Circuit Judges

**ORDER**

Upon consideration of the petition for rehearing filed by appellant and the answer filed by appellees, it is hereby O R D E R E D that the petition for rehearing en banc is granted. It is

FURTHER ORDERED that the opinion and judgment filed February 4, 2010 as to the appeal at No. 07-4465, are hereby vacated.

The matter will be argued before the en banc court on Thursday, June 3, 2010, at  
10:00 a.m.

By the Court,

/s/ Anthony J. Scirica  
Chief Judge

Date: April 9, 2010

MLR/cc:

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