

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

October 4, 2012

No. 11-2605

MERRILL LYNCH PIERCE FENNER & SMITH INCORPORATED,
Appellant

v.

CHERYL SCHWARZWAELDER

(W.D. Pa. Nos. 2-11-cv-00107 and No. 2-11-cv-00162)

Present: SLOVITER and VANASKIE, Circuit Judges

1. Appellee's Petition for Reconstitution of Panel or, Alternatively, for Rehearing by the Panel.
2. Appellant's Answer to the Petition for Rehearing

Respectfully,
Clerk

ORDER

The foregoing petition for panel rehearing and reconstitution of the panel is granted. Oral argument will be scheduled at the convenience of the panel.

By the Court,

s/ Thomas I. Vanaskie
Circuit Judge

Dated: October 16, 2012

Tnh/cc: Joseph H. Chivers, III, Esq.
Patricia A. Tsipras, Esq.
Lauren D. Rushak, Esq.
Michael J. Fortunato, Esq.