

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 16-2821

KENNETH MANN,
as parents and co plenary guardians of
the estate of SHELDON MANN, an
incapacitated person, and in their own right;
ROSE MANN, as parents and co plenary
guardians of the estate of SHELDON MANN,
an incapacitated person, and in their own right,
Appellants

v.

PALMERTON AREA SCHOOL DISTRICT; CHRISTOPHER WALKOWIAK,
individually and in his official capacity as a football coach

On Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. Civil No. 3-14-cv-00068)
District Judge: Hon. A. Richard Caputo

Argued April 27, 2017

Before: MCKEE, VANASKIE, and RENDELL, *Circuit Judges*

Howard J. Bashman, Esq. [Argued]
Law Offices of Howard J. Bashman
2300 Computer Avenue
Suite G-22
Willow Grove, PA 19090

Larry E. Bendesky, Esq.
Adam J. Pantano, Esq.

Robert W. Zimmerman, Esq.
Saltz Mongeluzzi Barrett & Bendesky
1650 Market Street
One Liberty Place, 52nd Floor
Philadelphia, PA 19103

Counsel for Appellant Kenneth Mann and Rose Mann

Thomas A. Specht, Esq. [Argued]
Robin B. Snyder, Esq.
Marshall Dennehey Warner Coleman & Goggin
P.O. Box 3118
Scranton, PA 18505

Counsel for Appellees Palmerton Area School District and Christopher Walkowiak

ORDER AMENDING OPINION

VANASKIE, *Circuit Judge.*

IT IS NOW ORDERED that the above-captioned opinion be amended as follows:

1. On page 5 of the Court's Opinion, the word "observed" shall be deleted and replaced with the name "observe."
2. On page 11 of the Court's Opinion, the phrase "to infer that that Walkowiak was aware" shall be deleted and replaced with "to infer that Walkowiak was aware."
3. On page 16 of the Court's Opinion, the phrase "that that requiring a student-athlete" shall be deleted and replaced with "that requiring a student-athlete..."

This amendment does not change the date of filing (September 20, 2017).

s/ Thomas I. Vanaskie
Circuit Judge

DATED: September 22, 2017