

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 07-1238

DEBORAH FELLNER, individually and
on behalf of those similarly situated

v.

TRI-UNION SEAFOODS, L.L.C.
d/b/a CHICKEN OF THE SEA

Deborah Fellner,
Appellant

On Appeal From the United States District Court
For the District of New Jersey
(D.C. Civil Action No. 06-cv-00688)
District Judge: Hon. Dennis M. Cavanaugh

Argued February 12, 2008

BEFORE: SLOVITER, SMITH and STAPLETON,
Circuit Judges

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the District of New Jersey and was argued by counsel on February 12, 2008.

On consideration whereof, it is now here ORDERED AND ADJUDGED by this Court that the judgment of the said District Court entered January 9, 2007, be and the same is hereby REVERSED and this matter is REMANDED to the said District Court for further proceedings consistent with this opinion. Costs taxed against appellee.

ATTEST:

/s/ Marcia M. Waldron
Clerk

Dated: 19 August 2008