

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-4285

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BARBARA FOWLER,  
individually, and on behalf of a group of  
similarly situated individuals,  
Appellant

v.

UPMC SHADYSIDE; UPMC,  
doing business as  
UNIVERSITY OF PITTSBURGH  
MEDICAL CENTER

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On Appeal from the United States District Court  
for the Western District of Pennsylvania

(D.C. No. 07-cv-00807)

District Judge: The Honorable Arthur J. Schwab

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ARGUED MAY 20, 2009

BEFORE: FUENTES, JORDAN, and NYGAARD, Circuit Judges.

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JUDGMENT

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This cause came to be heard on the record from the United States District Court for the Western District of Pennsylvania and was argued by counsel on May 20, 2009.

On consideration whereof, it is now here ORDERED AND ADJUDGED by this Court that the order of the said District Court entered on October 19, 2007, be, and the

same is hereby VACATED. This cause is REMANDED to the District Court for further proceedings.

Costs are taxed against the Appellee.

All of the above in accordance with the opinion of this Court.

ATTEST:

/s/Marcia M. Waldron  
Clerk

Dated: August 18, 2009