

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

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No. 21-2926

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XCOAL ENERGY & RESOURCES

v.

BLUESTONE ENERGY SALES CORPORATION;  
SOUTHERN COAL CORPORATION; JAMES C. JUSTICE, II,  
Appellants

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(USDC Delaware Civil No. 1-18-cv-00819 )

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SUR PETITION FOR PANEL REHEARING

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Present: GREENAWAY, JR., MATEY, and NYGAARD, Circuit Judges

The petition for rehearing filed by appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court, it is hereby

O R D E R E D that the petition for rehearing by the panel is denied.

BY THE COURT,

s/ Richard L. Nygaard  
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Circuit Judge

Dated: August 16, 2022  
CRG/cc: All counsel of record