

FILED: July 18, 2023

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 21-2051  
(3:18-cv-00321)

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JUSTIN ADKINS; JUSTIN BLAKE; EDWIN GLOWACKI; ERIC JORDAN;  
KEVIN PALMER; DENNIS SARGENT; TRAVIS THORNSBERRY;  
MICHAEL WILLIAMS; JOHN BAKER; JAMES BLAIN; DEVERY BROWN;  
JAMES DEAL; JONATHAN JEFFERS; ROBERT MOSTELLER; MICHAEL L.  
POTTER; MICHAEL D. POTTER; JESSEE WALLACE; TIMOTHY WITT;  
JOHN BILLS; MICHAEL CLARK; RANDALL CRAYCRAFT; JOHN  
FRASURE; SAMMY MADDIX; JAMES STINNETT; TODD THAYER;  
MICHAEL CAMPBELL; TONY ABDON; THE ESTATE OF CHAD LITTLE;  
BRANDON ADKINS; JACQUELINE MARSHALL; HOMER MAYNARD;  
SCOTT MORRISON; JEREMY NAPIER; SHAWN PATTERSON; MATTHEW  
WOODS; JOHN CARPENTER; QUINCY CHRISTIAN; GREGORY HAMM;  
ETHAN MULLINS; MICHAEL OWENS; JONATHAN ROWE; DANNY  
STEWART; LLOYD WILLIAMS; DAVID MANIS; JOSHUA FERGUSON;  
ERIC SPEAKS; DONALD STEPHENS; JASON BARKER; CHAD DOWDY;  
JERRY FLOCKER; GROVER KELLEY; CHRISTOPHER CLAY STILTNER;  
DENNIS HUTCHINSON; JOSHUA HALL; ZACH POTTER; DEANNA  
LANHAM; SAMUEL PRESTON; BOBBY AKERS; GERALD BARBER

Plaintiffs - Appellants

v.

CSX TRANSPORTATION, INCORPORATED; CRAIG S. HELIGMAN, M.D.;  
GUS THOELE; CURT SHOGREN; MILTON STORM; DELANDO JONES;  
TOM DEANGELO; SHAWN LUSK; ELIZABETH CREEDON; KENNETH  
RAY EMERSON

Defendants - Appellees

and

CSX CORPORATION; DILLON DOUG JONES

Defendants

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O R D E R

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The petition for rehearing en banc was circulated to the full court. No judge requested a poll under [Fed. R. App. P. 35](#). The court denies the petition for rehearing en banc.

For the Court

/s/ Patricia S. Connor, Clerk