

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

August 18, 2003

Before

Hon. RICHARD D. CUDAHY, *Circuit Judge*

Hon. DANIEL A. MANION, *Circuit Judge*

Hon. ILANA DIAMOND ROVNER, *Circuit Judge*

ILLINOIS CENTRAL RAILROAD COMPANY	)	Appeal from the United States
<i>Plaintiff-Appellee,</i>	)	District Court for the Northern
	)	District of Illinois,
No. 02-2957	)	Eastern Division.
v.	)	
	)	
SOUTH-TEC DEVELOPMENT WAREHOUSE,	)	No. 97 C 5720
INCORPORATED,	)	
<i>Defendant-Third Party</i>	)	Hon. George M. Marovich, Judge.
<i>Plaintiff-Appellant</i>	)	
	)	
v.	)	
	)	
R. R. DONNELLEY & SONS COMPANY,	)	
<i>Third Party</i>	)	
<i>Defendant-Appellee.</i>	)	

ORDER

On August 6, 2003, the Plaintiff-Appellee filed a Petition for Rehearing and Rehearing *En Banc*, and the Third Party Defendant-Appellee filed a Petition for Rehearing or in the Alternative for Clarification in the above-captioned case. All the judges on the original panel have voted to deny rehearing, and none of the judges in active service have requested a vote on the petition for rehearing *en banc*. Therefore, both petitions are **DENIED**.

The July 23, 2003, opinion is amended in two respects. On page 6, the phrase beginning “defeating the third party complaint . . .” is amended to read “defeating the third party complaint in a ruling not effectively appealed and therefore affirmed. . . .” On page 17, the final sentence of the opinion is amended to read, “Therefore, the judgment of the district court is AFFIRMED IN PART and REVERSED IN PART and REMANDED for further proceedings not inconsistent with this opinion.”