

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Argued October 26, 2011
Decided August 14, 2012

Before

KENNETH F. RIPPLE, Circuit Judge

DAVID F. HAMILTON, Circuit Judge

SUE E. MYERSCOUGH, District Judge*

No. 11-2205

PEGGY S. LEGRANDE,

Plaintiff-Appellant,

Appeal from the United States
District Court for the Northern
District of Illinois, Eastern Division.

v.

No. 1:08-cv-02047

UNITED STATES OF AMERICA,

Defendant-Appellee.

Joan B. Gottschall, *Judge.*

ORDER

The court, on its own motion, amends the text of the original opinion. *See LeGrande v. United States*, No. 11-2205, 2012 WL 2913730 (7th Cir. July 18, 2012). The following sentence, appearing on page 26 of the slip opinion and at *9 of 2012 WL

* The Honorable Sue E. Myerscough of the Central District of Illinois, sitting by designation.

2913730, should be removed: "The Supreme Court has held that this requirement is jurisdictional and not subject to waiver. *McNeil v. United States*, 508 U.S. 106, 112-13 (1993)."

Additionally, the sentence quoting *McNeil*, which appears on page 28 of the slip opinion and at *10 of 2012 WL 2913730, should be amended. It currently reads: "As the Supreme Court noted in *McNeil*, the statutory threshold requirement of filing an administrative claim with the appropriate agency is clear and cannot be characterized as a 'trap for the unwary.' 508 U.S. at 113." As amended it should read: "As the Supreme Court noted in *McNeil v. United States*, 508 U.S. 106, 113 (1993), the statutory threshold requirement of filing an administrative claim with the appropriate agency is clear and cannot be characterized as a 'trap for the unwary.'"