

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

April 24, 2026

Before

FRANK H. EASTERBROOK, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 24-1630

CLOSE ARMSTRONG, LLC, *et al.*,
Plaintiffs-Appellants,

v.

TRUNKLINE GAS COMPANY, LLC,
Defendant-Appellee.

Appeal from the United States District
Court for the Northern District of
Indiana, South Bend Division.

Nos. 3:18-cv-00270 & 3:18-cv-00494

Damon R. Leichty,
District Judge.

ORDER

All members of the panel have voted to deny the petition for rehearing filed on April 14, 2026. The petition therefore is **DENIED**.

Page 2, second sentence, of the opinion issued on March 31, 2026, is amended to read:

With that goal in mind, the landowners filed suit to define the scope of the easement as limited to the area immediately surrounding the existing pipeline.

Page 5, first paragraph, of the opinion issued on March 31, 2026, is amended to read:

Both landowners filed suit—Close Armstrong in state court and the Dicksons later in federal court—seeking a declaration to locate and limit the scope of Trunkline’s easement. After removing Close Armstrong’s complaint to federal court, Trunkline counterclaimed in each action seeking its own declaration that the burden of its easement was unlimited. The district court consolidated the cases and divided the litigation into two phases. Both phases resulted in partial summary judgment in Trunkline’s favor.