

NOT PRECEDENTIAL

IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 09-3013

TOLEDO MACK SALES & SERVICE, INC.,
Appellant

v.

MACK TRUCKS, INC.

On Appeal From the United States District Court
For the Eastern District of Pennsylvania
(D.C. Civil No. 2:02-cv-04373)
District Judge: Honorable Ronald L. Buckwalter

Submitted Under Third Circuit LAR 34.1(a)
April 20, 2010

BEFORE: SCIRICA, AMBRO and ALARCÓN*, Circuit Judges.

JUDGMENT

This cause came to be heard on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34 on April 20, 2010.

On consideration whereof, IT IS ORDERED AND ADJUDGED by this Court that the judgment of the said District Court entered June 12, 2009, be, and the same is hereby affirmed. Costs taxed against Appellant. All of the above in accordance with the opinion of this Court.

ATTEST

/s/Marcia M. Waldron

Clerk

Dated: July 7, 2010



Certified to be a true copy and issued in lieu
of a formal mandate on August 10, 2010

Teste: *Marcia M. Waldron*

Clerk, U.S. Court of Appeals for the Third Circuit