

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 24-1409

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SAN DIEGO COUNTY EMPLOYEES RETIREMENT ASSOCIATION;  
FRANK HALL, Individually and on behalf of all others similarly situated

v.

JOHNSON & JOHNSON; ALEX GORSKY; JOAN CASALVIERI;  
TARA GLASGOW; CAROL GOODRICH,  
Appellants

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(D.C. Civ. No. 3:18-cv-01833)

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SUR PETITION FOR REHEARING

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Present: CHAGARES, Chief Judge, HARDIMAN, SHWARTZ, \*KRAUSE,  
RESTREPO, \*BIBAS, PORTER, MATEY, PHIPPS, FREEMAN, \*CHUNG and BOVE,  
Circuit Judges

The petition for rehearing filed by Appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

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\*Judges Cheryl A. Krause, Stephanos Bibas and Cindy K. Chung would grant the petition for rehearing by the en banc court.

BY THE COURT,

s/Patty Shwartz  
Circuit Judge

Dated: October 7, 2025  
Tmm/cc: All Counsel of Record