

FILED: September 2, 2014

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 13-1360  
(1:02-cv-00373-NCT-LPA)

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RICHARD G. TATUM, individually and on behalf of a class of all other persons  
similarly situated

Plaintiff - Appellant

v.

RJR PENSION INVESTMENT COMMITTEE; RJR EMPLOYEE BENEFITS  
COMMITTEE; R.J. REYNOLDS TOBACCO HOLDINGS, INC.; R. J.  
REYNOLDS TOBACCO COMPANY

Defendants - Appellees

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AARP; NATIONAL EMPLOYMENT LAWYERS ASSOCIATION; THOMAS E.  
PEREZ, Secretary of the United States Department of Labor

Amici Supporting Appellant

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA;  
AMERICAN BENEFITS COUNCIL

Amici Supporting Appellees

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O R D E R

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The petition for rehearing en banc was circulated to the full court. No judge requested a poll under Fed. R. App. P. 35. The court denies the petition for rehearing en banc.

For the Court

/s/ Patricia S. Connor, Clerk