

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

CCO-099

No. 23-8031

ROGER A. SALVATORA; SANDRA E. SALVATORA;
D&M MARBURGER FAMILY ENTERPRISES, L.P.;
HEASLEYS NURSERIE'S, INC.; RODNEY L. LANG;
BONITA A. LANG, individually and on behalf of all
those similarly situated

v.

XTO ENERGY INC.,
Petitioner

(W.D. Pa. No. 2-19-cv-01097)

Present: SHWARTZ, MATEY, and PHIPPS, Circuit Judges

1. Petition for Leave to Appeal pursuant to Fed. R. Civ. P. 23(f) filed by
Petitioner XTO Energy Inc.
2. Response filed by Respondents D&M Marburger Family Enterprises LP,
Heasleys Nurseries Inc, Bonita A. Lang, Rodney L. Lang, Roger A. Salvatora
and Sandra E. Salvatora

Respectfully,
Clerk/lmr

ORDER

The foregoing Petition for Leave to Appeal pursuant to Fed. R. Civ. P. 23(f) filed by
Petitioner XTO Energy Inc. is denied.

By the Court,

s/ Peter J. Phipps
Circuit Judge

Dated: August 20, 2023
Sb/cc: All Counsel of Record



A True Copy:

Patricia A. Dodszeuweit

Patricia S. Dodszeuweit, Clerk