

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 18-1944

ALI RAZAK; KENAN SABANI; KHALDOUN CHERDOUD, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,
Appellants

v.

UBER TECHNOLOGIES, INC.; GEGEN, LLC

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil No. 2-16-cv-00573)
District Judge: Hon. Michael M. Baylson

Argued January 15, 2019

Before: SMITH, *Chief Judge*, GREENAWAY, JR., and PORTER, *Circuit Judges*.

ORDER AMENDING PRECEDENTIAL OPINION

The panel hereby ORDERS that the Opinion filed March 3, 2020 be amended to include the language appearing in angle brackets below.

The sentence at page 16 reading, “But, if a court finds that there are any issues of fact that remain in dispute, it must resolve those disputes prior to granting summary judgment” shall be amended to read: “But, if a court finds that there are any issues of <material> fact that remain in <genuine> dispute, it must resolve those disputes prior to granting summary judgment.”

The sentence at page 17 reading, “*DialAmerica* teaches that where there are questions of fact that need resolution, these questions must go to a fact-finder” shall be amended to read: “*DialAmerica* teaches that where there are <genuine> questions of <material> fact that need resolution, these questions must go to a fact-finder.”

BY THE COURT,

s/ Joseph A. Greenaway, Jr. _____

Circuit Judge

Dated: November 5, 2020

Tmm/cc: All Counsel of Record