

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 12-4444

---

DAVID OPALINSKI;  
JAMES MCCABE, on behalf of themselves  
and all others similarly situated

v.

ROBERT HALF INTERNATIONAL INC;  
ROBERT HALF CORPORATION;  
Appellants

---

Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil Action No. 2-10-cv-02069)  
District Judge: Honorable Faith S. Hochberg

---

Before: McKEE, Chief Judge, RENDELL, AMBRO, FUENTES, SMITH, FISHER,  
CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR.,  
VANASKIE, KRAUSE, and ROTH\*, Circuit Judges

**SUR PETITION FOR REHEARING**

The petition for rehearing filed by Appellee 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 circuit judges of the circuit in regular active service not having voted for rehearing by the court *en banc*, the petition for rehearing by the panel and the Court *en banc*, is denied.

---

\* Judge Roth's vote is limited to Panel Rehearing only.

By the Court,

s/ Thomas L. Ambro  
Circuit Judge

Dated: August 27, 2014

CLW/cc: Shannon Liss-Riordan, Esq.  
Anthony L. Marchetti, Jr., Esq.  
Richard L. Alfred, Esq.  
Patrick J. Bannon, III, Esq.  
Carla J. Eaton, Esq.  
Christopher H. Lowe, Esq.