

# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

AMENDED April 13, 2011  
April 11, 2011

*By the Court:*

No. 09-3975

EMPRESS CASINO JOLIET CORPORATION,  
an Illinois Corporation, et al.,  
*Plaintiffs-Appellants,*

Appeal from the  
United States District Court for the  
Northern District of Illinois,  
Eastern Division.

*v.*

No. 1:09-cv-03585

BALMORAL RACING CLUB, INC.,  
MAYWOOD PARK TROTTING ASSOCIATION,  
INC., ARLINGTON PARK RACECOURSE, LLC,  
FAIRMOUNT PARK, INC., and  
HAWTHORNE RACE COURSE, INC.,  
*Defendants-Appellees.*

Matthew F. Kennelly,  
*Judge.*

## ORDER

The petitions for rehearing en banc filed on March 16, 2011, by Defendants-Appellees Balmoral Racing Club, Inc., and Maywood Park Trotting Association, Inc., and also by Defendants-Appellees Arlington Park Racecourse, LLC, Fairmount Park, Inc., and Hawthorne Race Course, Inc., are hereby granted.<sup>1</sup>

The parties to consolidated appeal No. 10-1019 did not seek rehearing en banc; therefore, rehearing is granted solely in No. 09-3975. With respect to that appeal, the panel's judgment and pages 23 to 42 of the panel's opinion are vacated. Reargument will be scheduled in a later order.

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<sup>1</sup> Circuit Judges Joel M. Flaum, Ilana Diamond Rovner, and Ann Claire Williams did not participate in the consideration of these petitions for rehearing.