

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse in the City of New York, Foley Square, on the 1<sup>st</sup> day of August, two thousand and one.

BEFORE: Hon. Dennis Jacobs,  
Hon. Fred I. Parker,  
Hon. Robert A. Katzmann,  
Circuit Judges.

Docket No. 00-9045 (L), 00-9135 (XAP)

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NELSON A. FARIAS and ANGELA M. ROBINSON,

Plaintiffs-Appellants-Cross-Appellants.

V.

INSTRUCTIONAL SYSTEMS, INC.,

Defendant-Appellee-Cross-Appellant.

PRENTICE-HALL, INC.,

Defendant.

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Appeal and cross-appeal from the United States District Court for the Southern District of New York.

This cause came on to be heard on the transcript of record from the United States District Court for the Southern District of New York and was argued by counsel.

On consideration whereof, it is now hereby ORDERED, ADJUDGED and DECREED that the judgement of said district court be and it hereby is AFFIRMED in all aspects, except VACATED and REMANDED for further proceedings concerning the award of attorney's fees in accordance with the opinion of this Court.

FOR THE COURT:  
ROSEANN B. MACKECHNIE, Clerk  
by:

Arthur M. Heller  
Administrative Attorney

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