

United States Court of Appeals,

Fifth Circuit.

No. 96-21019.

Robert S. FRANK; Ida L. Frank; Nancy A. Frank; Daniel S. Frank; Edgar E. Hancock; Marek Brothers 401K Plan; MBC Foundation; The Executive Group; Ralph Marek; Paul A. Marek; Bruce Marek; R. Stan Marek; William A. Marek, Sr; John L. Marek; Martha Marek; Bessie Marek; Frances Marek; Reinnette Morin Marek; Katherine Marek; Marvin P. Nodvin; Sondra D. Nodvin, Plaintiffs-Appellants,

v.

BEAR STEARNS & COMPANY; CS First Boston Corporation; Greenwich Capital Markets, Incorporated; Goldman Sachs & Company; Kidder Peabody & Company, Incorporated; Lehman Brothers; Nomura Securities International; Painewebber Incorporated; Prudential Securities Incorporated; Salomon Brothers Incorporated, Defendants-Appellees.

Dec. 19, 1997.

Appeal from the United States District Court for the Southern District of Texas; David Hittner, Judge.

Before REYNALDO G. GARZA, HIGGINBOTHAM and DAVIS, Circuit Judges.

*ON PETITION FOR REHEARING*

(Opinion November 26, 1997, 5th Cir.1997, 128 F.3d 919)

PER CURIAM:

IT IS ORDERED that the petition for rehearing filed in the above case is GRANTED in PART. We hereby change the opinion as follows:

The first sentence of the first full paragraph on page two (2) of our opinion in this case is hereby changed from:

One of the many purchasers that bought these securities directly from the defendants was High Yield Management, Inc. ("HYM").

to:

One of the many purchasers that bought these securities directly or indirectly from the defendants was High Yield

Management, Inc. ("HYM").

In all other respects the Petition for Rehearing is DENIED.