

The Third Circuit Court of Appeals Hit Penneast Pipeline Company with Another Setback

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Monday, November 11, 2019

The Third Circuit Court of Appeals hit PennEast Pipeline Company with another setback on November 5, 2019. The Court of Appeals denied the company's request for a rehearing of the Court's earlier decision, which held that the 11th Amendment of the United States Constitution prohibits PennEast Pipeline Company from suing the State of New Jersey in Federal Court. A copy of the Order can be found [here](#).

So, where does PennEast go from here? We hope home, but that is unlikely.

PennEast can ask the United States Supreme Court to review the decision, however, appeals to the United States Supreme Court are not automatic and an appealing party must file a petition and ask the Court to accept the case for review. The United States Supreme Court only agrees to review about 1% to 2% of the cases where parties seek a review by the high court.

Stay tuned for the next step in the saga of PennEast versus New Jersey and its residents. PennEast is not going away, but either are the people fighting the good fight!

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Source URL: <https://www.natlawreview.com/article/third-circuit-court-appeals-hit-penneast-pipeline-company-another-setback>