

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

HIGHMARK, INC.,
Plaintiff-Appellee,

v.

**ALLCARE HEALTH MANAGEMENT SYSTEMS,
INC.,**
Defendant-Appellant.

2011-1219

Appeal from the United States District Court for the Northern District of Texas in No. 4:03-CV-1384-Y, Senior Judge Terry R. Means.

SUA SPONTE

Before NEWMAN, MAYER, and DYK, *Circuit Judges.*

PER CURIAM.

O R D E R

The court *sua sponte* enters the following order in *Highmark, Inc. v. Allcare Health Management Systems, Inc.* (No. 11-1219).

IT IS ORDERED THAT:

The parties are hereby directed to file briefs, not to exceed fifteen pages each, addressing the impact of the Supreme Court's decisions in *Highmark, Inc. v. Allcare Health Management Systems, Inc.*, 134 S. Ct. 1744 (2014) and *Octane Fitness, LLC v. Icon Health & Fitness, Inc.*, 134 S. Ct. 1749 (2014) on this case and how the court should proceed following the remand of the case from the Supreme Court. The briefs shall be filed no later than July 28, 2014.

FOR THE COURT

June 30, 2014

Date

/s/ Daniel E. O'Toole

Daniel E. O'Toole

Clerk of Court

cc: Cynthia E. Kernick
Donald R. Dunner