

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-1218, -1439

ULTIMAX CEMENT MANUFACTURING CORPORATION,
HASSAN KUNBARGI and KA GROUP,

Plaintiffs/Counterclaim Defendants-
Appellants,

and

HEARTLAND CEMENT SALES COMPANY,

Plaintiff/Counterclaim Defendant-
Appellee,

and

RC CEMENT HOLDING COMPANY, SIGNAL MOUNTAIN CEMENT COMPANY,
RIVER CEMENT COMPANY, HERCULES CEMENT COMPANY,
and RC CEMENT COMPANY,

Counterclaim Defendants,

v.

CTS CEMENT MANUFACTURING CORPORATION
(doing business as CTS Cement Manufacturing Company),
EDWARD K. RICE, RAPID-SET PRODUCTS CO. (doing business as RSC, Inc.),
CTS BULK TERMINALS CO., CHEM-COMP SYSTEMS, INC., JACK V. GOODMAN,
PARAGON BUILDING PRODUCTS, INC., LAWRENCE B. COLLINS,
BLUE DAISY CEMENT PRODUCTS, INC., KURT CAILLIER,
A & A READY MIXED CONCRETE, INC., RYAN VANDERHOOK, SR.,
SHORT LOAD CONCRETE, INC., SIR-MIX CONCRETE PRODUCTS,
WHITE CAP INDUSTRIES, INC., THE QUIKRETE COMPANIES,
and GRUPO CEMENTOS DE CHIHUAHUA,

Defendants/Counterclaimants-Cross
Appellants.

Appeals from the United States District Court for the Central District of
California in case no. 02-CV-578, Chief Judge Alicemarie Stotler.

ON MOTION

Before PROST, Circuit Judge.

ORDER

Foley & Lardner LLP and Saied Kashani (Foley) move for reconsideration of the court's January 16, 2009 order denying their motion for leave to intervene.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is denied. However, Foley may file a brief amicus curiae containing no more than ten pages within seven calendar days of the date of filing of this order. If Foley files an amicus brief, then CTS Cement Manufacturing Corporation's reply brief is due within 14 days of the date of service of Foley's amicus brief.

FOR THE COURT

MAR 13 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

cc: Saied Kashani, Esq.
James W. Geriak, Esq.
Michael Ross Annis, Esq.
William J. Robinson, Esq.

MAR 13 2009

JAN HORBALY
CLERK

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