

NOTE: This order is nonprecedential

# United States Court of Appeals for the Federal Circuit

2008-5110

PASSAMAQUODDY TRIBE,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

Appeal from the United States Court of Federal Claims in 06-CV-942,  
Judge Lynn J. Bush.

ON MOTION

Before DYK, Circuit Judge.

## ORDER

The United States moves to stay the briefing schedule in this appeal pending the filing and disposition of a petition for writ of certiorari related to Tohono O'odham Nation v. United States, 559 F.3d 1284 (Fed. Cir. 2009). The Passamaquoddy Tribe opposes. The United States replies.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion to stay the briefing schedule is granted. The United States is directed to inform this court in this case within 14 days of the Supreme Court's disposition of the petition for certiorari.

FOR THE COURT

JAN 27 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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

cc: Keith M. Harper, Esq.  
Aaron P. Avila, Esq.

JAN 27 2010

s20

JAN HORBALY  
CLERK