

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1232

FORT MOJAVE INDIAN TRIBE,

Appellant,

v.

Kathleen Sebelius,
SECRETARY OF HEALTH AND HUMAN SERVICES,

Appellee.

Appeal from the Civilian Board of Contract Appeals in case no. 547-ISDA,
Administrative Judge Stephen M. Daniels.

ON MOTION

ORDER

Fort Mojave Indian Tribe moves to withdraw its appeal.*

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

AUG 27 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: Lloyd Benton Miller, Esq.
Robert E. Chandler, Esq.

s17

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

AUG 27 2009

JAN HORBALY
CLERK

ISSUED AS A MANDATE: _____

* Fort Mojave requests that this dismissal be with prejudice; however, it is not the practice of this court to dismiss with or without prejudice.