

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-5013

CONTINENTAL AIRLINES, INC.,

Plaintiff-Appellee,

v.

UNITED STATES,

Defendant-Appellant.

Appeal from the United States Court of Federal Claims
in 06-CV-432, Senior Judge Lawrence S. Margolis.

ON MOTION

ORDER

Upon consideration of the United States' motion to withdraw its appeal,

IT IS ORDERED THAT:

- (1) The motion is granted. The appeal is dismissed.
- (2) Any other pending motions are moot.
- (3) Each side shall bear its own costs.

FOR THE COURT

JUN -3 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Adam P. Feinberg, Esq.
James W. Poirier, Esq.

s8

ISSUED AS A MANDATE: _____

JUN -3 2009

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

JUN 03 2009

**JAN HORBALY
CLERK**