

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-5075

MICHAEL KAWA,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

Appeal from the United States Court of Federal Claims in 06-CV-448,  
Judge George W. Miller.

ON MOTION

Before NEWMAN, Circuit Judge.

## ORDER

Michael Kawa moves without opposition to stay the briefing schedule pending the United States Court of Federal Claims's disposition of Kawa's Fed. R. Civ. P. 60(b) motion to vacate the judgment.

We grant Kawa's motion. If the trial court intends to grant the motion, it should so inform the parties and the parties may then promptly move this court to remand the case. The trial court may deny the motion without a remand by this court.

Accordingly,

IT IS ORDERED THAT:

The motion is granted. The briefing schedule is stayed. If no action is taken by the trial court within 45 days of the date of filing of this order, the parties should file a status report with this court.

FOR THE COURT

**MAY 29 2009**

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

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

cc: Joseph A. Camardo, Jr., Esq.  
Leslie Cayer Ohta, Esq.

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**MAY 29 2009**

**JAN HORBALY  
CLERK**