

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**FRED E. EVANS, NANCY A. EVANS, RANDY W.
FROEBE, DEBRA J. FROEBE, GENEVA GRUBBS,
NORMA LOU HALL, SHIRLEY HENDRICKS,
DAVID HOUSER, GAIL HOUSER, PATRICK J.
O'BRYAN, TRUSTEE OF THE PATRICK J. O'BRYAN
REVOCABLE LIVING TRUST UNDER AGREEMENT DATED
9/7/2001, LESTER ROARK, DONALD LEE ROPER,
II, AND B. LORENE SOPER,**
Plaintiffs-Appellants,

v.

UNITED STATES,
Defendant-Appellee.

2010-1303

Appeal from the United States District Court for the
District of Kansas in case no. 09-CV-2096, Chief Judge
Kathryn H. Vratil.

ON MOTION

ORDER

The appellants submit a response to the court's June 9, 2010 order and move to continue the stay of proceedings until the United States files a petition for a writ of certiorari in the United States Supreme Court in *Bright v. United States*, No. 2009-5048, and the Supreme Court issues a final decision or until the time expires for the United States to file a petition for a writ of certiorari.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion to continue the stay of proceedings is granted. The parties are directed to file a status report every 60 days, from the date of filing of this order, concerning, inter alia, whether a certiorari petition has been filed and the status of any petition.

FOR THE COURT

DEC 28 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Mark F. Hearne, II, Esq.
Kathryn E. Kovacs, Esq.

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

DEC 28 2010

JAN HORBALY
CLERK