

NOTE: This order is nonprecedential.

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

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**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.*

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2010-1303

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

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**ON MOTION**

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**O R D E R**

Fred E. Evans et al. move without opposition to stay proceedings in this appeal pending this court's final disposition in *Bright v. United States*, No. 09-5048 and the potential filing of a petition for writ of certiorari before the Supreme Court of the United States in the *Bright* case.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion to stay proceedings is granted in part. The briefing schedule in this case is stayed pending the issuance of this court's mandate in *Bright*. The parties are directed to inform this court within 30 days of this court's issuance of a mandate in *Bright* concerning how they believe that this appeal should proceed.

FOR THE COURT

JUN 09 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

JUN 09 2010

JAN HORBALY  
CLERK