NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

JACK LADD, JOBETH LADD, JOHN LADD, MARIE LADD, GAIL A. LANHAM, JAMES A. LINDSEY, MICHAEL A. LINDSEY, WILLIAM LINDSEY, CHARLIE MILLER, PAULINE MILLER, and RAYMOND MILLER,
Plaintiffs-Appellants,

v.

UNITED STATES,
Defendant-Appellee.

2010-5010

Appeal from the United States Court of Federal Claims in case No. 07-CV-271, Senior Judge Robert H. Hodges, Jr.

ON MOTION

Before NEWMAN, *Circuit Judge.*

ORDER

Jack Ladd et al. (Ladd) move for leave to file a separate reply brief responding to the amicus brief filed by the Rails-to-Trails Conservancy. The United States opposes.

An appellant may respond to an amicus brief in the usual reply brief permitted by Fed. R. App. P. 28(c). In this case, Ladd has responded to the amicus brief in his reply brief. Ladd has not demonstrated that a second reply brief is warranted.

Accordingly,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

JUN 18 2010
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: Mark F. Hearne, II, Esq.
James D. Gette, Esq.
Gregory Walter Reilly, Esq.

s17

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

JUN 18 2010

JAN HORBALY
CLERK