

NOTE: This order is nonprecedential.

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

TOTOLO/KING JOINT VENTURE,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2010-5037

Appeal from the United States Court of Federal
Claims in Case No. 09-CV-104, Judge Christine O.C.
Miller.

O R D E R

Upon consideration of this court's September 9, 2010
order denying Totolo/King's motion for abatement and the
government's motion to dismiss,

IT IS ORDERED THAT:

Totolo/King's opening brief is due within 14 days of the
date of filing of this order.

FOR THE COURT

SEP 10 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: James Edward Krause, Esq.
John S. Groat, Esq.

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

SEP 10 2010

JAN HORBALY
CLERK