

NOTE: This order is nonprecedential.

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

LUMBERMENS MUTUAL CASUALTY COMPANY,
Plaintiff-Cross Appellant,

v.

UNITED STATES,
Defendant-Appellant.

2010-5086, -5087

Appeal from the United States Court of Federal
Claims in case no. 04-CV-1255, Senior Judge Robert H.
Hodges, Jr.

ON MOTION

Before PROST, *Circuit Judge.*

ORDER

Upon consideration of the Surety & Fidelity
Association of America's motion for leave to file a brief
amicus curiae in support of the plaintiff-cross appellant,

IT IS ORDERED THAT:

The motion is granted.

FOR THE COURT

SEP 24 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Matthew C. Hoyer, Esq.
Donald E. Kinner, Esq.
Edward G. Gallagher, Esq.

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

SEP 24 2010

JAN HORBALY
CLERK