

NOTE: This order is nonprecedential.

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

JEROME A. MAHER AND JOHN R. GRAVEE,
Plaintiffs-Appellants,

v.

UNITED STATES,
Defendant-Appellee.

2010-5130

Appeal from the United States Court of Federal
Claims in case no. 08-CV-012, Senior Judge John P.
Wiese.

ON MOTION

ORDER

The appellants move without opposition for an extension of time, until October 15, 2010, to file their brief.

We note that the brief was received by October 15, 2010.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion for an extension of time is granted.
- (2) The court's August 24, 2010 order is vacated, the mandate is recalled, and the appeal is reinstated.
- (3) The United States' brief is due within 40 days from the date of filing of this order.

FOR THE COURT

OCT 22 2010

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: John O. Tuohy, Esq.
Vincent D. Phillips, Esq.

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

OCT 22 2010

JAN HORBALY
CLERK