

NOTE: This order is nonprecedential.

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

IN RE BP LUBRICANTS USA INC.,
Petitioner.

Miscellaneous Docket No. 960

On Petition for Writ of Mandamus to the United States District Court for the Northern District of Illinois in case no. 10-CV-1258, Judge Robert W. Gettleman.

ON PETITION FOR WRIT OF MANDAMUS

O R D E R

BP Lubricants USA Inc. submits a petition for a writ of mandamus directing the United States District Court for the Northern District of Illinois to (1) vacate its August 25, 2010 order denying BP's motion to dismiss and (2) dismiss the complaint.

Upon consideration thereof,

IT IS ORDERED THAT:

Thomas A. Simonian is directed to respond to BP's mandamus petition within 14 days of the date of filing of this order.

FOR THE COURT

SEP 15 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Russell E. Levine, Esq.
Joseph M. Vanek, Esq.
Judge, N.D. Ill.
Clerk, N.D. Ill.

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

SEP 15 2010

JAN HORBALY
CLERK