

NOTE: This order is nonprecedential.

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

**SHAKOPEE MDEWAKANTON SIOUX
COMMUNITY,**
Plaintiff-Cross Appellant,

v.

**FBCV, LLC,
KENNETH L. TEMPLETON, TRUSTEE OF THE
TEMPLETON GAMING TRUST, TEMPLETON
GAMING CORPORATION, AND TEMPLETON
DEVELOPMENT CORPORATION,**
Defendants-Appellants.

2011-1515, -1563

Appeals from the United States District Court for the
District of Nevada in case no. 10-CV-0010, Judge James
C. Mahan.

ON MOTION

O R D E R

The court considers whether these appeals should be
transferred to the United States Court of Appeals for the
Ninth Circuit.

FBCV, LLC, Kenneth L. Templeton, Trustee of the Templeton Gaming Trust, Templeton Gaming Corporation, and Templeton Development Corporation appeal from a decision of the United States District Court for the District of Nevada entering final judgment and an injunction pursuant to 15 U.S.C. § 1116. The plaintiff cross-appeals. This court is a court of limited jurisdiction. 28 U.S.C. § 1295. Based only upon our review, it does not appear that the district court's jurisdiction arose in whole or in part under the laws governing this court's appellate jurisdiction.

Accordingly,

IT IS ORDERED THAT:

Absent a response received by this court within 14 days of the date of filing of this order, these appeals will be transferred to the United States Court of Appeals for Ninth Circuit pursuant to 28 U.S.C. § 1631.

FOR THE COURT

SEP 28 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Jonathan W. Dettmann, Esq.
Phillip S. Aurbach, Esq.

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

SEP 28 2011

JAN HORBALY
CLERK