

NOTE: This order is nonprecedential.

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

**VERMONT YANKEE NUCLEAR POWER
CORPORATION,**
Plaintiff-Cross Appellant,

v.

**ENTERGY NUCLEAR VERMONT YANKEE, LLC,
AND ENTERGY NUCLEAR OPERATIONS, INC.,**
Plaintiffs-Cross Appellants,

v.

UNITED STATES,
Defendant-Appellant.

2011-5033, -5034, -5042

Appeals from the United States Court of Federal
Claims in consolidated case nos. 02-CV-898 and 03-CV-
2663, Judge Thomas C. Wheeler.

ON MOTION

Before NEWMAN, *Circuit Judge.*

ORDER

The United States moves to take judicial notice of three documents filed in a district court proceeding, *Entergy Nuclear Vermont Yankee, LLC v. Shumlin*, No. 1:11-cv-99 (D. Vt. 2011). Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. do not oppose the motion, and further move to take judicial notice of a fourth document filed in the same case for completeness.

Judicial notice may be appropriate with respect to public documents and decisions of other courts. However, the relevance of such materials is left to the discretion of the merits panel.

Accordingly,

IT IS ORDERED THAT:

The motion to take judicial notice is granted. A copy of this order shall be transmitted to the merits panel assigned to hear this case, to inform the panel regarding the documents.

FOR THE COURT

JUL 1 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Brad Fagg, Esq.
Kyle Landis-Marinello, Esq.
Harold D. Lester, Jr., Esq.
Richard James Conway, Esq.

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

JUL 01 2011

JAN HORBALY
CLERK