

NOTE: This order is nonprecedential.

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

**JOY MM DELAWARE, INC. AND
JOY TECHNOLOGIES, INC. (DOING BUSINESS AS
JOY MINING MACHINERY),**
Plaintiffs-Appellees,

v.

CINCINNATI MINE MACHINERY, CO.,
Defendant-Appellant.

2012-1154

Appeal from the United States District Court for the
Western District of Pennsylvania in case no. 09-CV-1415,
Chief Judge Gary L. Lancaster.

**JOY MM DELAWARE, INC. AND
JOY TECHNOLOGIES, INC. (DOING BUSINESS AS
JOY MINING MACHINERY),**
Plaintiffs-Appellants,

v.

CINCINNATI MINE MACHINERY, CO.,
Defendant-Appellee.

2012-1153

Appeal from the United States District Court for the Western District of Pennsylvania in case no. 09-CV-1415, Chief Judge Gary L. Lancaster.

ON MOTION

ORDER

Cincinnati Mine Machinery, Co. moves without opposition to dismiss cross appeal no. 2012-1154.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion to dismiss 2012-1154 is granted. The revised official caption in 2012-1153 is reflected above.
- (2) Each side shall bear its own costs in 2012-1154.

FOR THE COURT

APR 25 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Katherine W. Schill, Esq.
Brett A. Schatz, Esq.

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Issued As A Mandate (As To 2012-1154 Only): APR 25 2012

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

APR 25 2012

JAN HORBALY
CLERK