

NOTE: This order is nonprecedential.

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

BENNETT MARINE, INC.,
Plaintiff-Cross Appellant,

v.

**LENCO MARINE, INC. AND
RICHARD DEVITO, JR.,**
Defendants-Appellants,

AND

**RINKER BOAT COMPANY AND
KIM SLOCUM,**
Defendants.

2012-1336, -1354

Appeals from the United States District Court for the
Southern District of Florida in case no. 04-CV-60326,
Judge Kenneth A. Marra.

ON MOTION

ORDER

Bennett Marine, Inc., Kim Slocum, and Rinker Boat Company move to dismiss the cross-appeal with regard to Rinker Boat Company and Kim Slocum.

The court does not dismiss a portion of a pending appeal or cross-appeal. Instead the official caption is modified to indicate a party's status. Currently the official caption reflects that Rinker Boat Company and Kim Slocum are not participants in either the appeal or the cross-appeal. Rather, they are listed simply as defendants from the proceedings below

Accordingly,

IT IS ORDERED THAT:

The motion is denied as moot.

FOR THE COURT

JUN 14 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Eric C. Christu, Esq.
James A. Gale, Esq.

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

JUN 14 2012

JAN HORBALY
CLERK