

NOTE: This order is nonprecedential.

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

---

**COMINT SYSTEMS CORPORATION AND  
EYEIT.COM, INC., JOINT VENTURE,**  
*Plaintiffs-Appellants,*

AND

**NETSERVICES & ASSOCIATES, LLC,**  
*Plaintiff,*

v.

**UNITED STATES,**  
*Defendant-Appellee,*

AND

**NETCENTRICS CORPORATION,**  
*Defendant-Appellee,*

AND

**DIGITAL MANAGEMENT, INC.,**  
*Defendant,*

AND

**POWERTEK CORPORATION,**  
*Defendant.*

---

2012-5039

---

Appeal from the United States Court of Federal Claims in consolidated case nos. 11-CV-400 and 11-CV-416, Judge Margaret M. Sweeney.

---

**ON MOTION**

---

**O R D E R**

The United States moves to strike portions of the joint appendix as well as any portions of COMINT Systems Corporation and EyeIt.com, Inc., Joint Venture's ("COMINT") briefs that discuss the substance of those documents. COMINT opposes. The United States replies.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is deferred for consideration by the merits panel assigned to hear the case.

(2) Copies of the motion, response and reply will be transmitted to the merits panel.

AUG 15 2012

Date

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: David B. Dempsey, Esq.  
Philip F. Hudock, Esq.  
David P. Metzger, Esq.  
Gerard F. Doyle, Esq.  
Karen R. Harbaugh, Esq.  
Alexander V. Sverdlov, Esq.

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

**AUG 15 2012**

**JAN HORBALY**  
**CLERK**