

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

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ARACOMA COAL COMPANY, BANDMILL COAL CORPORATION, SPARTAN MINING COMPANY, STIRRAT COAL COMPANY, BLACK STALLION COAL COMPANY, LLC, COYOTE COAL COMPANY, LLC, DODGE HILL MINING COMPANY, LLC, HIGHLAND MINING COMPANY, LLC, KANAWHA EAGLE COAL, LLC, PANTHER, LLC, JUPITER HOLDINGS, LLC, REMINGTON, LLC, WILDCAT, LLC, CONSOL ENERGY, INC., CONSOLIDATION COAL COMPANY, CONSOL OF PENNSYLVANIA COAL COMPANY, CONSOL OF KENTUCKY INC., EIGHTY FOUR MINING COMPANY, HELVETIA COAL COMPANY, ISLAND CREEK COAL COMPANY, KENT COAL MINING COMPANY, LAUREL RUN MINING COMPANY, NINEVAH COAL COMPANY, EAGLE ENERGY, INC., ELK RUN COAL COMPANY, INC., GOALS COAL COMPANY, GREEN VALLEY COAL COMPANY, INDEPENDENCE COAL COMPANY, INC., KNOX CREEK COAL CORPORATION, MARKFORK COAL COMPANY, INC., MARTIN COUNTY COAL CORPORATION, PEERLESS EAGLE COAL COMPANY, PERFORMANCE COAL COMPANY, RAWL SALES & PROCESSING, CO., SIDNEY COAL COMPANY, INC., STONE MINING COMPANY, APOGEE COAL, COVENANT COAL CORP., JIM WALTER RESOURCES, INC., ALEX ENERGY, INC., DELBARTON MINING COMPANY, COLONY

BAY COAL COMPANY, LOGAN FORK COAL COMPANY, PINE RIDGE COAL COMPANY, RIVERS EDGE MINING, INC., ANDALEX RESOURCES, INC., ARCH WESTERN RESOURCES, LLC, CANYON FUEL COMPANY, LLC, CATENARY COAL COMPANY N/K/A CATENARY COAL COMPANY, LLC, CLINTWOOD ELKHORN MINING COMPANY, COAL-MAC, INC., COASTAL COAL COMPANY, LLC N/K/A ENTERPRISE MINING COMPANY, LLC, COASTAL COAL-WEST VIRGINIA, LLC N/K/A BROOKS RUN MINING COMPANY, LLC, DAL-TEX COAL CORPORATION, EASTERN ASSOCIATED COAL CORPORATION N/K/A EASTERN ASSOCIATED COAL, LLC, EVERGREEN MINING COMPANY, GATLIFF COAL COMPANY, GENWAL RESOURCES, INC., GLAMORGAN COAL COMPANY, LLC, HOBET MINING, INC., N/K/A HOBET MINING, LLC, KEYSTONE COAL MINING CORPORATION, KINGSTON RESOURCES, INC., MCELROY COAL COMPANY, MINGO LOGAN COAL CO., MOUNTAINEER COAL DEVELOPMENT COMPANY, NICHOLAS-CLAY COMPANY, LLC, N/K/A AMVEST WEST VIRGINIA COAL, LLC, NICHOLAS-CLAY LAND & MINERAL, INC., OLD BEN COAL COMPANY, PACIFIC COAST COAL COMPANY, PAYNTER BRANCH MINING, INC., PERRY COUNTY COAL CORPORATION, PIONEER FUEL CORPORATION, PLATEAU MINING CORPORATION, PREMIER ELKHORN COAL COMPANY, QUARTO MINING COMPANY, RAG CUMBERLAND RESOURCES, L.P. N/K/A CUMBERLAND COAL RESOURCES, L.P., RAG EMERALD RESOURCES, L.P., N/K/A EMERALD COAL RESOURCES, L.P., RIVERSIDE ENERGY, INC. N/K/A AMCI HOLDINGS, INC., SHIPYARD RIVER COAL TERMINAL COMPANY, TERRY EAGLE L.P., UNITED STATES STEEL MINING

**COMPANY LLC, USIBELLI COAL MINE, INC.,  
VIRGINIA CREWS COAL COMPANY, AND WEST  
RIDGE RESOURCES, INC.,**  
*Plaintiffs-Appellants,*

AND

**POWDER RIVER COAL COMPANY, PEABODY  
HOLDING COMPANY, INC., MID-VOL LEASING,  
INC., AND TWENTYMILE COAL COMPANY,**  
*Plaintiffs-Appellants,*

v.

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

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2012-5090, -5091, -5092, -5093, -5094, -5095

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Appeals from the United States Court of Federal  
Claims in consolidated case nos. 09-CV-734, 09-CV-770,  
05-CV-1284, 07-CV-266, 05-CV-929 and 05-CV-1211,  
Senior Judge Bohdan A. Futey.

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**ON MOTION**

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**O R D E R**

Andalex Resources, Inc. et al. move without opposition  
to revise the caption in these appeals. The appellants  
move for an extension of time, until September 28, 2012, to  
file their opening brief.

Upon consideration thereof,

IT IS ORDERED THAT:

The motions are granted. The revised official caption is reflected above.

FOR THE COURT

AUG 17 2012

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Steven Harlan Becker, Esq.  
Lindsay Minnis, Esq.  
Tara K. Hogan, Esq.

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

**AUG 17 2012**

**JAN HORBALY**  
**CLERK**