

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

EASTERN SHAWNEE TRIBE OF OKLAHOMA,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2008-5102

On remand from the Supreme Court of the United States.

JUDGMENT

BRIAN J. LEINBACH, Engstrom, Lipscomb & Lack, of Los Angeles, California, argued for plaintiff-appellant.

AARON P. AVILA, Trial Attorney, Environment and Natural Resource Division, United States Department of Justice, of Washington, DC, argued for defendant-appellee. With him on the brief was JOHN C. CRUDEN, Acting Assistant Attorney General. Of counsel was ANTHONY A. YANG, Assistant to the Solicitor General.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (GAJARSA,* DYK, and MOORE, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

November 3, 2011
Date

/s/ Jan Horbaly,
Jan Horbaly
Clerk

* Judge Gajarsa assumed senior status on July 31, 2011.