

NOTE: This order is nonprecedential.

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

CLOVERLEAF GOLF COURSE, INC.,
Plaintiff-Appellant,

v.

FMC CORPORATION,
Defendant-Appellee,

AND

UNITED STATES,
Intervenor-Appellee,

2012-1372

Appeal from the United States District Court for the Southern District of Illinois in case no. 11-CV-0190, Chief Judge David R. Herndon.

ON MOTION

ORDER

Cloverleaf Golf Course, Inc. moves to withdraw its appeal in view of this court's decision in *Rogers v. Tristar*, 2011-1494, -1495, and pursuant to an agreement amongst the parties.

The government objects to the caption, requesting it be listed as an intervenor.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to withdraw the appeal is granted. Appeal 2012-1372 is dismissed.*

(2) The government's objection is granted. The revised official caption is reflected above.

(3) Each party shall bear its own costs.

FOR THE COURT

JUN 20 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Paul A. Lesko, Esq.
Francis DiGiovanni, Esq.
Adam C. Jed, Esq.

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ISSUED AS A MANDATE: JUN 20 2012

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

JUN 20 2012

JAN HORBALY
CLERK

* It is not the court's usual practice to designate a dismissal as being with or without prejudice.