

NOTE: This order is nonprecedential.

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

**ELIZABETH G. BRADLEY, DENNY W. BRANHAM,
ROBERTA L. ANDERSON, DAVID A. EADS,
PATRICIA A. EADS, JEFFREY A. MALKOFF, JANE
A. MALKOFF, PAUL B. SCHAFFER, D-TWO, INC.,
MOLLY MCAFFEE, DEANNA STROSSNER, HOLLY
R. WOOD,**
Plaintiffs

**MAXWELL HEGER, JULIE C. TURNER, BURNETT
PARTNERSHIP, LLP, MIMIR PARTNERS LLP,
THREE FEATHERS REALTY GROUP LLP,**
Plaintiffs-Appellees

v.

UNITED STATES,
Defendant-Appellant

2025-1811

Appeal from the United States Court of Federal Claims
in No. 1:19-cv-00400-DAT, Judge David A. Tapp.

ON MOTION

Before PROST, *Circuit Judge*.

O R D E R

Upon consideration of the United States's unopposed motion to voluntarily dismiss its appeal pursuant to Federal Rule of Appellate Procedure 42(b), indicating that the parties "agree that each party shall bear its own *costs* associated with the appeal, however, Plaintiffs expressly reserve Plaintiffs' right to seek reimbursement for attorney fees incurred with this appeal," ECF No. 18 at 2,

IT IS ORDERED THAT:

(1) The motion is granted. The appeal is dismissed.

(2) Each party shall bear its own costs. Any motion for attorney fees shall be resolved on its own merits.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

August 12, 2026
Date

ISSUED AS A MANDATE: August 12, 2026