

NOTE: This order is nonprecedential.

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

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**CLOVERLEAF GOLF COURSE, INC.,**  
*Plaintiff-Appellant,*

v.

**FMC CORPORATION,**  
*Defendant-Appellee,*

AND

**UNITED STATES,**  
*Intervenor-Appellee,*

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2012-1372

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

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**ON MOTION**

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**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**

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