

NOTE: This order is nonprecedential.

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

NATIONAL FOOD & BEVERAGE CO., INC.,
Plaintiff-Cross Appellant,

v.

UNITED STATES,
Defendant-Appellant.

2013-5014, -5015

Appeals from the United States Court of Federal
Claims in case no. 10-CV-0152, Judge Charles F. Lettow.

ON MOTION

O R D E R

The parties jointly move to dismiss the above captioned appeals pursuant to Fed. R. App. P. 42(b) with each party to bear its own costs.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to withdraw the appeals is granted.
The appeals are dismissed.

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(2) Each side shall bear its own costs.

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

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Issued As A Mandate: February 12, 2013