

NOTE: This order is nonprecedential.

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

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**THE TURFGRASS GROUP, INC., AND UNIVERSITY  
OF GEORGIA RESEARCH FOUNDATION, INC.,**  
*Plaintiffs-Appellants,*

v.

**CAROLINA FRESH FARMS, INC., CAROLINA  
FRESH FARMS, L.L.C., FKA CAROLINA FRESH  
FARMS, INC., AND JOHN A. FOGLE, SR.,**  
*Defendants-Appellees.*

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2014-1017

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Appeal from the United States District Court for the  
District of South Carolina in No. 5:10-cv-00849-JMC,  
Judge J. Michelle Childs.

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**ON MOTION**

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**O R D E R**

The appellants move for leave to file their appendix  
out of time and to reinstate their appeal.

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On August 4, 2014, this appeal was dismissed for failure to timely file the appendix. The court notes that the appendix was submitted with the motion to reinstate.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to accept the appendix out of time is granted. The joint appendix is accepted for filing.

(2) The mandate is recalled, the court's August 4, 2014 dismissal order is vacated, and the appeal is reinstated.

(3) This appeal will be placed on the oral argument calendar in due course.

FOR THE COURT

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court

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