

NOTE: This order is nonprecedential.

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

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**JOHN HIPPELY, ANTHONY CAICCO, BENNETT  
COBB, SR., ERIC FINCHAM, MARILYN  
LANNING, HAROLD LANNING, ROSALIE  
LANNING, RICHARD MOWEN, ELAINE  
MOWEN, WARREN R.C. INC., RICHARD L.  
GWIN, DEBORAH A. GWIN, OHIO EDISON CO.,**  
*Plaintiffs-Appellees*

v.

**UNITED STATES,**  
*Defendant-Appellant*

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2023-2271

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Appeal from the United States Court of Federal Claims  
in No. 1:18-cv-01070-RTH, Judge Ryan T. Holte.

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**O R D E R**

The parties having so agreed, it is ordered that:

(1) The proceeding is DISMISSED under Fed. R. App.  
P. 42 (b).

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HIPPELY V. US

(2) Each side shall bear their own costs.

FOR THE COURT

October 2, 2023

Date

/s/ Jarrett B. Perlow

Jarrett B. Perlow

Clerk of Court

**ISSUED AS A MANDATE:** October 2, 2023