

Appellate Case: 13-3314 Document: 01019553160 Date Filed: 01/13/2016 Page: 1

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

January 13, 2016

Chris Wolpert
Chief Deputy Clerk

Mr. Chad E. Blomberg
Mr. David Ryan Frye
Mr. Roland Brook Miller III
Lathrop & Gage
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

Mr. Daniel L. Delnero
Mr. Wayne Phears
McGuire Woods
1230 Peachtree Street NE, Suite 2100
Atlanta, GA 30309

RE: 13-3314, Martin Marietta Materials, et al v. Kansas DOT, et al
Dist/Ag docket: 2:12-CV-02699-SAC-KGS

Dear Counsel:

Enclosed is a copy of the opinion of the court issued today in this matter. The court has entered judgment on the docket pursuant to Fed. R. App. P. Rule 36.

Pursuant to Fed. R. App. P. Rule 40, any petition for rehearing must be filed within 14 days after entry of judgment. Please note, however, that if the appeal is a civil case in which the United States or its officer or agency is a party, any petition for rehearing must be filed within 45 days after entry of judgment. Parties should consult both the Federal Rules and local rules of this court with regard to applicable standards and requirements. In particular, petitions for rehearing may not exceed 15 pages in length, and no answer is permitted unless the court enters an order requiring a response. If requesting rehearing en banc, the requesting party must file 12 paper copies with the clerk, in addition to satisfying all Electronic Case Filing requirements. *See* Fed. R. App. P. Rules 35 and 40, and 10th Cir. R. 35 and 40 for further information governing petitions for rehearing.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Elisabeth A. Shumaker". The signature is written in black ink and has a long, sweeping horizontal line extending to the right at the end.

Elisabeth A. Shumaker
Clerk of the Court

cc: Carmen D. Tucker Bakarich
Charles E. Millsap
Gelene D. Savage
Lyndon W. Vix

EAS/mb