

Appellate Case: 14-6006 Document: 01019339487 Date Filed: 11/13/2014 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

November 13, 2014

Chris Wolpert
Chief Deputy Clerk

Mr. Joseph A. Friedman
Kane Russell Coleman & Logan
1601 Elm Street, Suite 3700
Dallas, TX 75201

Mr. R. Keith Johnston
Mr. David M. Skeens
Mr. J. Michael Vaughan
Walters Bender Strohhahn & Vaughan, P.C.
2500 City Center Square
P.O. Box 26188
Kansas City, MO 64196

RE: 14-6006, 14-6007, Aviva Life & Annuity v. Millennium Multiple Employer
Dist/Ag docket: 5:13-CV-00957-F

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: Fred A. Leibrock
Brandon V. Lewis
Eric D. Madden
Kiran A. Phansalkar
George Blaine Schwabe III
Jerome S. Sepkowitz

EAS/bv