

**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

August 29, 2016

Chris Wolpert  
Chief Deputy Clerk

Mr. Christopher Benson  
2705 Pearce Road  
Austin, TX 78730

Mr. William W. Cochran  
Cochran Freund & Young  
2026 Caribou Drive, Suite 201  
Fort Collins, CO 80525

**RE: 15-1226, Forney Industries v. Daco of Missouri**  
Dist/Ag docket: 1:14-CV-01326-CMA-MEH

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 8 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, reading "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: Michiko A. Brown  
Ellen Elizabeth Shea Herzog  
Julie Carol Jennings  
Carl Chadwell Murley  
Brendan O. Powers  
Keith A. Rabenberg  
Jack David Robinson

EAS/kf