

FILED: June 23, 2008

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

No. 08-1461
(1:08-cv-00210-RDB)

SANDERSON FARMS, INCORPORATED; PERDUE FARMS, INCORPORATED,

Plaintiffs - Appellees

v.

TYSON FOODS, INCORPORATED,

Defendant - Appellant

RULE 42(b) MANDATE

This Court's order dismissing this appeal pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

/s/Patricia S. Connor, Clerk