

**United States Court of Appeals*****For The Eighth Circuit***

Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329

**St. Louis, Missouri 63102**

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*Clerk of Court*

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August 12, 2011

Mr. Jeff Howard Eckland  
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RE: 10-3015 Joan Najbar v. The United States

Dear Counsel:

The court today issued an opinion in this case. Judgment in accordance with the opinion was also entered today. The opinion will be released to the public at 10:00a.m. today. Please hold the opinion in confidence until that time.

Please review [Federal Rules of Appellate Procedure](#) and the [Eighth Circuit Rules](#) on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing and petitions for rehearing *en banc* must be received in the clerk's office within 45 days of the date of the entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. No grace period for mailing is allowed, and the date of the postmark is irrelevant, for pro-se-filed petitions. Any petition for rehearing or petition for rehearing *en banc* which is not received within the 45 day period for filing permitted by FRAP 40 may be denied as untimely.

Michael E. Gans  
Clerk of Court

CMD

Enclosure(s)

cc: Mr. Mark J. Blando  
Mr. Timothy M. Connelly  
Ms. Kate H. Kennedy  
Ms. Mary J. Madigan  
Mr. Richard Sletten

District Court/Agency Case Number(s): 0:09-cv-03143-PJS