

**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**

**Michael E. Gans**  
*Clerk of Court*

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August 21, 2012

Mr. Barry Clifford Snyder  
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Suite 102  
Santa Barbara, CA 93117

RE: 11-2954 B & B Hardware v. Fastenal Company  
12-1066 B & B Hardware v. Fastenal Company

Dear Counsel:

The court has issued an opinion in these cases. Judgment has been entered in accordance with the opinion. 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 14 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 14 day period for filing permitted by FRAP 40 may be denied as untimely.

Michael E. Gans  
Clerk of Court

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Enclosure(s)

cc: Mr. Sean R. Burnett  
Ms. Karen P. Freeman  
Ms. Jenny Thompson Garrett  
Ms. Michelle M. Kaemmerling  
Mr. Jim McCormack  
Mr. Marshall S. Ney  
Mr. Troy A. Price  
Mr. Gordon S. Rather Jr.

District Court/Agency Case Number(s): 4:10-cv-00317-BRW  
4:10-cv-00317-SWW