

**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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March 20, 2014

Mr. Kenneth Blair McClain  
HUMPHREY & FARRINGTON  
221 W. Lexington  
Suite 400  
Independence, MO 64051-0000

RE: 12-2779 Joel Baker, et al v. Martin Marietta Materials, et al

Dear Counsel:

The court has issued an opinion in this case. Judgment has been entered in accordance with the opinion.

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

SRD

Enclosure(s)

cc: Mr. Daniel N Allmayer  
Mr. Kevin K. Anderson  
Mr. Jeffrey C. Baker  
Mr. Todd C. Barrett  
Mr. Lee M. Baty  
Mr. Chad Eric Blomberg  
Mr. Patrick A. Bousquet  
Mr. David R. Buchanan  
Mr. Donald Bucher  
Mr. Jeffrey Bullins  
Mr. Brian L. Burge

Ms. Nikki Cannezzaro  
Mr. Paul D. Cowing  
Mr. Kelvin J. Fisher  
Mr. David J. Forestner  
Mr. Kevin Fritz  
Mr. Charles A. Getto  
Mr. Neil C. Gosch  
Mr. Douglas M. Greenwald  
Mr. David M. Halphin  
Ms. Dana M Harris  
Mr. Ryan Edward Karaim  
Mr. Michael C. Kirkham  
Mr. Christopher P. Leritz  
Mr. Joseph L. Leritz  
Mr. Gregory Leyh  
Mr. Richard Frank Lombardo  
Mr. Brian J. Madden  
Mr. Ryan Manies  
Ms. Kathy Matthews  
Mr. Andrew S. Mendelson  
Mr. Roland Brook Miller III  
Mr. Vincent F O'Flaherty  
Ms. Theresa Ann Otto  
Mr. H. Wayne Phears  
Mr. John Power  
Mr. Lloyd W. Raber  
Mr. Kyle Ramsey  
Mr. Curtis Orville Roggow  
Mr. James L. Saunders  
Mr. John G. Schultz  
Mr. Joshua David Scott  
Ms. Anne E. Smith  
Mr. Jonathan M Soper  
Mr. Joseph Robert Swift  
Ms. Ann Thompson  
Mr. Michael J Tubbesing  
Mr. Thomas Michael Ward

District Court/Agency Case Number(s): 4:11-cv-00862-DW