

**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 22, 2014

Ms. Kimberly S. Keller
KELLAR & STOLARCZYK
Suite 120
234 W. Bandera Road
Boerne, TX 78006

RE: 12-3958 The Phipps Group v. Don Downing & Adam Levitt, etc
12-4045 Don Downing & Adam Levitt etc. v. The Phipps Group

Dear Counsel:

The court has issued an opinion in this case. Judgment has been entered in accordance with the opinion. The opinion will be released to the public at 10:00 a.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

MDS

Enclosure(s)

cc: Ms. Stacey Kelly Breen
Mr. Don Manley Downing
Ms. Gretchen Garrison
Mr. Michael Gross
Ms. Amanda L Hazleton
Mr. Adam J. Levitt
Mr. Gregory J. Linhares
Mr. Martin John Phipps
Mr. Mikal C. Watts

District Court/Agency Case Number(s): 4:06-md-01811-CDP
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