

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-5094

FRANK E. FISHER,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

Appeal from the United States Court of Federal Claims
In 00-CV-740, Senior Judge Eric G. Bruggink.

ON MOTION

Before LINN, Circuit Judge.

ORDER

Frank E. Fisher moves for leave to file a corrected opening brief with substantive changes in the corrected brief.

We note that Fisher's corrected brief contains the deficiencies that his original brief contained.* Thus, although we allow Fisher to include the substantive changes in a corrected brief, Fisher must file another corrected opening brief within 14 days that corrects the deficiencies.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Fisher must file a corrected opening brief within 14 days of the date of filing of this order.

* The brief does not use the entire official caption, Fisher must submit an original and 12 copies, the brief does not contain citations to the pages of the joint appendix, and all text (including footnotes) must be in 14-point or larger type.

(3) The United States should calculate its brief due date from the date of service of the corrected opening brief.

FOR THE COURT

MAY -1 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Edward A. Zimmerman, Esq.
Douglas K. Mickle, Esq.

s20

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAY -1 2009

**JAN HORBALY
CLERK**