

NOTE: This disposition is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**ARKANSAS GAME & FISH COMMISSION,**  
*Plaintiff-Cross Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellant.*

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2009-5121, 2010-5029

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Appeals from the United States Court of Federal  
Claims in case no. 05-CV-381, Judge Charles F. Lettow.

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Before NEWMAN, DYK, and BRYSON, *Circuit Judges.*

PER CURIAM.

**O R D E R**

The Supreme Court of the United States, in *Arkansas Game & Fish Commission v. United States*, 568 U.S. (2012), reversed this court's judgment and remanded for further proceedings. The mandate of this court, issued on August 18, 2011, was recalled by Order of January 17, 2013, and the appeal has been reinstated.

The parties are invited to provide supplemental briefing directed to the issues remaining for appellate review, including any new relevant authority. The parties are asked to provide three copies of the originally submitted joint appendix, with any appropriate supplementation.

Said briefs shall be due simultaneously from the parties, no later than 45 days after the date of this order, and

shall be no more than 20 pages in length. Responses may be filed no later than 30 days thereafter and shall be no longer than 10 pages in length. The supplemental briefs shall otherwise comply with the Rules for filing of appellate briefs.

The court will determine at a later date whether oral argument is desired.

The parties are invited to consider mediation of the issues remaining in the case following the Supreme Court's remand.

FOR THE COURT

January 29, 2013

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Julie D. Greathouse, Esq.  
Robert J. Lundman, Esq.