

NOTE: This order is nonprecedential.

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

**PETER H. BEER, TERRY J. HATTER, JR.,
THOMAS F. HOGAN, RICHARD A. PAEZ,
JAMES ROBERTSON, LAURENCE H. SILBERMAN,
A. WALLACE TASHIMA AND U. W. CLEMON,**
Plaintiffs-Appellants,

v.

UNITED STATES,
Defendant Appellee.

2010-5012

Appeal from the United States Court of Federal
Claims in case no. 09-CV-037, Senior Judge Robert H.
Hodges, Jr.

O R D E R

The court has received briefs in this case on the issue that was the subject of the remand from the Supreme Court. Each side may file a reply of no more than 10 pages in length, to be received by the court no later than November 10, 2011. Oral argument will be heard before a panel of this court on Friday, December 16, 2011, at 10 a.m.

The parties shall notify the clerk in writing of the name of the counsel who will present oral argument no later than November 28, 2011.

FOR THE COURT

September 30, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: Christopher Landau, Esq.
Brian M. Simkin, Esq.
Jeffrey A. Lamken, Esq.