

NOTE: This order is nonprecedential.

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

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**WHITSERVE, LLC,**  
*Plaintiff/Counterclaim Defendant-Cross Appellant,*

AND

**WESLEY W. WHITMYER, JR.,**  
*Third Party Defendant-Cross Appellant,*

v.

**COMPUTER PACKAGES, INC.,**  
*Defendant/Counterclaim Plaintiff-Appellant.*

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2011-1206, -1261

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Appeals from the United States District Court for the  
District of Connecticut in case no. 06-CV-1935, Judge  
Alfred V. Covello.

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**ON MOTION**

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**ORDER**

WhitServe, LLC and Wesley W. Whitmyer, Jr. move to withdraw their motion to dismiss Computer Packages, Inc. (CPI)'s appeal for lack of jurisdiction. CPI notifies this court of the March 21, 2011 order of the United

States District Court for the District of Connecticut staying execution of judgment upon entry of CPI filing a supersedeas bond and CPI's filing of such bond on March 25, 2011.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion to withdraw the motion to dismiss is granted.
- (2) CPI's motion for a stay of execution of judgment is moot.
- (3) CPI's initial brief is due within 40 days from the date of filing of this order.

FOR THE COURT

MAY 24 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Gene S. Winter, Esq.  
John A. Krause, Esq.

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

MAY 24 2011

JAN HORBALY  
CLERK