

NOTE: This order is nonprecedential.

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

DEERE & COMPANY,
Plaintiff-Appellant,

v.

BUSH HOG, LLC,
Defendant-Cross Appellant,

AND

**GREAT PLAINS MANUFACTURING
INCORPORATED,**
Defendant-Cross Appellant.

2011-1629, -1630, -1631

Appeals from the United States District Court for the Southern District of Iowa in case no. 09-CV-0095, Senior Judge Charles R. Wolle.

ON MOTION

ORDER

Deere & Company move without opposition to withdraw Richard L. Rainey as principal counsel and to substitute Roderick R. McKelvie as principal counsel. Bush

Hog, LLC and Great Plains Manufacturing Incorporated (Bush Hog) move to strike non-record material that Deere & Company had designated for inclusion in the joint appendix. Deere & Company respond stating that they will file a corrected brief by January 27, 2012 that does not cite the non-record material and will not include such material in the appendix. Bush Hog replies stating that in light of Deere & Company's response the motion to strike is moot and asks that the motion be withdrawn.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion to substitute counsel is granted.
- (2) The motion to strike is withdrawn.

FOR THE COURT

FEB 07 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Richard L. Rainey, Esq.
Roderick R. McKelvie, Esq.
Craig C. Martin, Esq.
Scott R. Brown, Esq.

s19

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

FEB 07 2012

JAN HORBALY
CLERK