

# In the United States Court of Federal Claims

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Michael F. Curtin and Vivien G. Johnson,  
Personal Representatives of the  
ESTATE OF ELEANOR CLOSE BARZIN,  
Deceased,

Plaintiffs,

v.

THE UNITED STATES,

Defendant,

-AND-

THE UNITED STATES,

Third-Party Plaintiff,

v.

ANTAL POST DE BEKESY,

Third-Party Defendant.

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No. 09-109T

(Filed: January 10, 2012)

## ORDER

The Court's December 1, 2011 Opinion incorrectly directed the Clerk to dismiss plaintiffs' complaint because it required the Clerk to enter judgment on all claims even though the Court has not yet resolved defendant's third-party claim. *See* RCFC 54(b). Accordingly, on this date, January 10, 2012, the Court is filing an amended opinion, and **the Court hereby directs the Clerk to vacate the December 1, 2011 Judgment and mark the case as open.** After resolving the defendant's third-party claim, the Court will direct the Clerk to enter judgment on all claims, including a judgment that plaintiffs' case is dismissed.

s/ Lawrence S. Margolis  
LAWRENCE S. MARGOLIS  
Senior Judge, U.S. Court of Federal Claims