

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

BETA UPSILON CHI, et al.,

Plaintiffs,

v.

CASE NO.: 1:07-CV-135-SPM/AK

J. BERNARD MACHEN, et al.,

Defendants.

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ORDER

THIS CAUSE comes before the Court on the Defendant's Motion to Dismiss on Mootness Grounds (doc. 172), the Mandate of the United States Court of Appeals for the Eleventh Circuit (doc. 234), and the Order of the United States Court of Appeals for the Eleventh Circuit (doc. 235). Upon consideration, it is hereby ORDERED AND ADJUDGED as follows:

1. This case is dismissed as moot.
2. The Court shall retain jurisdiction for the purpose of determining the amount of attorney's fees to which Plaintiffs are entitled for work on the motion for injunction pending appeal.

SO ORDERED this twenty-ninth day of September, 2010.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge