

**ORIGINAL**

8:06cv609

**In the United States Court of Federal Claims**

**FILED**  
DEC 19 2003  
U.S. COURT OF  
FEDERAL CLAIMS

\* \* \* \* \*

ACCEPTANCE INSURANCE COMPANIES INC.,\*

Plaintiff,

No. ~~07~~<sup>3</sup>-2794L

v.

Filed: December 19, 2003

UNITED STATES OF AMERICA,

Defendant.

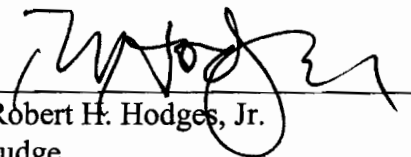
\* \* \* \* \*

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MICHIGAN  
06 SEP 26 PM 12:42  
OFFICE OF THE CLERK

**ORDER**

Plaintiff's complaint states essentially that a government agency declined to approve the sale of plaintiff's assets, apparently by a discretionary ruling. Plaintiff's claim for relief is based on a regulatory takings theory. The basis for the reasonable investment-backed expectations prong is plaintiff's "history of dealing with the RMA and its approval of prior transactions . . . ."

Plaintiff's allegations do not seem to fit the typical regulatory takings construct, as they are stated in this complaint. We will await defendant's Answer, due February 9; meanwhile, we would be interested to see any cases that plaintiff has that discuss similar fact situations in a takings context as opposed to APA, for example.

  
Robert H. Hodges, Jr.  
Judge

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