

NOTE: This order is nonprecedential.

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

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**HALLMARK-PHOENIX 3, LLC,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellee.*

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2011-5089

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Appeal from the United States Court of Federal  
Claims in case no. 11-CV-098, Judge Francis M. Allegra.

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**ON MOTION**

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**O R D E R**

Upon consideration of Hallmark-Phoenix 3 LLC's motion to dismiss its appeal,

IT IS ORDERED THAT:

- (1) The motion is granted. The appeal is dismissed.
- (2) Each side shall bear its own costs.

FOR THE COURT

JUL 25 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Bryant S. Banes, Esq.  
Christopher A. Bowen, Esq.

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Issued As A Mandate: JUL 25 2011

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

JUL 25 2011

JAN HORBALY  
CLERK