

NOTE: This order is nonprecedential.

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

SMART POWER SYSTEMS, INC.,
Appellant,

v.

JOHN MCHUGH, SECRETARY OF THE ARMY,
Appellee.

2011-1420

Appeal from the Armed Services Board of Contract Appeals in no. 56743, Administrative Judge David W. James, Jr.

ON MOTION

O R D E R

Smart Power Systems, Inc. moves to withdraw its appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

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

FOR THE COURT

AUG 19 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Kiran M. Dewan, Esq.
Kent C. Kiffner, Esq.

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Issued As A Mandate: AUG 19 2011

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

AUG 19 2011

JAN HORBALY
CLERK