

NOTE: This order is nonprecedential.

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

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**U.S. SILICA CO.,**  
*Plaintiff-Appellee*

v.

**AMBERGER KAOLINWERKE EDUARD KICK  
GMBH & CO. KG,**  
*Defendant-Appellant*

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2023-1813

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Appeal from the United States District Court for the Eastern District of Texas in No. 2:20-cv-00298-JRG, Chief Judge J. Rodney Gilstrap.

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**O R D E R**

The parties having so agreed, it is ordered that:

- (1) The proceeding is DISMISSED under Fed. R. App. P. 42 (b).
- (2) Each side shall bear their own costs.

FOR THE COURT

August 3, 2023  
Date

/s/ Jarrett B. Perlow  
Jarrett B. Perlow  
Clerk of Court

**ISSUED AS A MANDATE:** August 3, 2023