

May 29, 2008

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker
Clerk of Court

FOR THE TENTH CIRCUIT

UNITED STATES OF AMERICA ex
rel. JENNIFER J. FAY, Executrix of
the Estate of Robert G. Babb, II,

Plaintiff - Appellant,

v.

NORTHROP GRUMMAN
CORPORATION; NORTHROP
GRUMMAN SPACE AND MISSION
SYSTEMS CORPORATION,

Defendants - Appellees.

No. 08-1149
(1:06-CV-00581-EWM-MJW)

ORDER

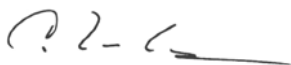
Appellant has filed a “Withdrawal of Appeal,” which the court has construed as a motion for voluntary dismissal pursuant to Fed. R. App. P. 42 (b). No objection to the motion has been filed. *See* this court’s order of May 9, 2008.

Therefore, appellant’s motion is granted and this appeal is dismissed, with each party to bear its own fees and costs. A copy of this order shall stand as and

for the mandate of this court.

Appellant is reminded that the filing and docketing fees for this appeal remain due. *See* Fed. R. App. P. 3 (e).

Entered for the Court
ELISABETH SHUMAKER, Clerk of Court

A handwritten signature in black ink, appearing to read 'C. Van Coney', with a horizontal line extending to the right.

by:

Christine Van Coney
Counsel to the Clerk