

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

January 23, 2015

**Elisabeth A. Shumaker
Clerk of Court**

FLEMING BUILDING COMPANY, INC.,
an Oklahoma corporation,

Plaintiff - Appellant,

v.

M2 ENGINEERING, AB, a Swedish
Privately Held Company,

Defendant - Appellee,

and

SVENSKA HANDELSBANKEN AB, a
Swedish Banking corporation;
EXPORTKREDITNAMNDEN, the
Swedish Exports Guarantee Board,

Defendants.

No. 10-5150
(D.C. No. 4:09-CV-00790-GKF-PJC)

ORDER

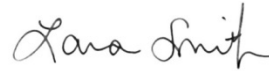
This matter is before the court on Appellant's Response to Appellee Status Report. In the appellee's Sixteenth Status Report, which was filed January 7, 2015, the appellee stated that its Swedish bankruptcy proceedings had concluded and as a result of those proceedings M2 Engineering AB no longer existed as an operating business entity. The appellee suggested that the appeal should be dismissed. We directed the appellant to respond to the appellee's suggestion.

In its response, the appellant stated that it “consents to the withdrawal of this Appeal based upon the status of M2 as described in the Status Report.”

Accordingly, the court will treat the parties’ latest filings as a stipulation to dismiss this appeal. As construed, the stipulation of the parties to dismiss the captioned appeal is granted. Each party shall bear its own costs.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script that reads "Lara Smith".

by: Lara Smith
Counsel to the Clerk