

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

July 21, 2008

Douglas E. Cressler
Chief Deputy Clerk

Samuel K. Lipari
297 North East Bayview
Lee Summit, MO 64064

RE: 08-3187, Medical Supply Chain v. Neoforma, et al
Dist/Ag docket: 2:05-CV-02299-CM-GLR

Dear Appellant:

The district clerk will transmit to the court of appeals, as the record on appeal, copies of all documents filed in the district court except those excluded by 10th Cir. R. 10.3(E).

Appellant shall file an opening brief within 40 days of the date of this letter. Failure to file a brief is ground for dismissal without further notice. Appellant may use the Pro Se Brief form (to be mailed to appellant) or may file a separate brief. If appellant elects not to use the form, appellant's brief must comply with the Federal Rules of Appellate Procedure and Tenth Circuit Rules. Failure to file a brief is grounds for dismissal without further notice.

Appellees' brief shall be due 30 days from the date of service of Appellant's brief. Appellant's reply brief, if any, may be filed within 14 days of the date of service of Appellees' brief. Motions for extension of time are not favored and, absent extraordinary circumstances, will not be granted.

Pro se parties must complete and file the form within 40 days from the date of this letter. *See* 10th Cir. R. 46.1. Appellant's failure to enter an appearance may cause the appeal to be dismissed. An appellee who fails to enter an appearance may not receive notice or service of orders.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Elisabeth A. Shumaker". The signature is written in black ink and has a long, sweeping horizontal line extending to the right at the end.

Elisabeth A. Shumaker
Clerk of the Court

cc: Andrew M. DeMarea
Sophie N. Froelich
Jonathan H. Gregor
Kathleen A. Hardee
Janice Vaughn Mock
Mark A. Olthoff
John K. Power
Stephen N. Roberts

EAS/lab