

UNITED STATES COURT OF APPEALS **FILED**
United States Court of Appeals
Tenth Circuit

FOR THE TENTH CIRCUIT

March 4, 2009

Elisabeth A. Shumaker
Clerk of Court

SAMUEL K. LIPARI,

Plaintiff - Appellant,

v.

US BANCORP NA; US BANK NA,

Defendants - Appellees.

Nos. 08-3287, 08-3338,
and 08-3345

ORDER

Earlier today the court entered an order stating that a consolidated opening brief had not been filed in these appeals, and setting a new deadline for that brief. That order is now **vacated**. The consolidated brief had actually been filed on February 17, 2009, but due to docketing error, was only shown as filed in case No. 08-3338, and not in Case Nos. 08-3287 and 08-3345.

The clerk shall show the consolidated opening brief of the appellant as also filed in Case Nos. 08-3287 and 08-3345 on February 17, 2009. The consolidated response brief of the appellees remains due March 23, 2009.

Entered for the Court
ELISABETH A. SHUMAKER
Clerk of Court



by:
Douglas E. Cressler
Chief Deputy Clerk