

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

BAYCHAR INC. and BAYCHAR
HOLDINGS LLC,

Plaintiffs

v.

Civil No. 04-136-B-C

SALOMON/NORTH AMERICA, INC.,

Defendant

Gene Carter, Senior District Judge

**ORDER DENYING AS MOOT DEFENDANT'S MOTION FOR
EXTENSION OF TIME TO FILE ITS MOTION FOR ATTORNEYS' FEES**

Now before the Court is Defendant's Motion for Extension of Time to File its Motion for Attorneys' Fees. It is unnecessary for the Court to grant Defendant an extension of time to file its Motion for Attorneys' Fees because the case was erroneously sent to, and docketed at, the Court of Appeals for the Federal Circuit and remains pending there. Therefore, the applicable provision of Local Rule 54.2 provides that the Motion for Attorneys Fees "shall be filed within 30 days of the filing of the appellate mandate providing for the final disposition of any appeal to the Court of Appeals." It is **ORDERED** that Defendant's Motion for Extension of Time to File its Motion for Attorneys' Fees be, and it is hereby, **DENIED** as **MOOT**.

/s/ Gene Carter _____
Gene Carter
Senior District Court Judge

Dated at Portland, Maine this 24th day of January, 2007.

Plaintiff

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Plaintiff

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V.

Defendant

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V.

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