

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

May 30, 2019

Elisabeth A. Shumaker  
Clerk of Court

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UNITED STATES OF AMERICA EX.  
REL. MARK CHRISTOPHER TRACY,

Plaintiff - Appellant,

v.

No. 18-4109

EMIGRATION IMPROVEMENT  
DISTRICT, a Utah Special Service  
District, et al.,

Defendants - Appellees,

and

THE BOYER COMPANY, L.C., a Utah  
company, et al.,

Defendants.

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UNITED STATES OF AMERICA EX.  
REL. MARK CHRISTOPHER TRACY,

Plaintiff - Appellant,

v.

No. 19-4021

EMIGRATION IMPROVEMENT  
DISTRICT, a Utah Special Service  
District, et al.,

Defendants - Appellees,

and

AQUA ENGINEERING, a Utah

corporation, et al.,

Defendants.

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UNITED STATES OF AMERICA EX.  
REL. MARK CHRISTOPHER TRACY,

Plaintiff - Appellee,

v.

No. 19-4022

EMIGRATION IMPROVEMENT  
DISTRICT, a Utah Special Service  
District, et al.,

Defendants - Appellants,

and

AQUA ENGINEERING, a Utah  
corporation, et al.,

Defendants.

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CHRISTENSEN & JENSEN, P.C.,

Attorney - Appellee.

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**ORDER**

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These matters are before the court on the Fed. R. App. P. 28(j) letters filed by the parties in Appeal No. 18-4109. The abatement of all three of the above-captioned appeals is LIFTED. Within 14 days of the date of this order, the parties shall respond to this order to address (1) whether supplemental briefing is necessary in Appeal No. 18-4109; and (2)

whether Appeal No. 18-4109 should proceed separately from Appeal Nos. 19-4021 and 19-4022.

Entered for the Court,

ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read 'Chris Wolpert', written over a horizontal line.

by: Chris Wolpert  
Chief Deputy Clerk