

October 16, 2008

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

HAKIM ABID; ALLISON ABID,

Plaintiff - Appellees,

v.

QFA ROYALTIES LLC,

Defendant - Appellant.

No. 07-1235

(D. Ct. No. 06-cv-02528-JLK-BNB)

(D. Colo.)

ORDER

Before **TACHA, HARTZ, and DeGIUSTI**,* Circuit Judges.

This matter is before the court on the defendant-appellant's motion to dismiss its appeal regarding the preliminary injunction entered by the district court. This court agrees with the defendant that the appeal is now moot. Therefore, the appeal is **DISMISSED**, and this matter is **REMANDED** to the district court for determination of

*Honorable Timothy D. DeGiusti, District Judge for the Western District of Oklahoma, sitting by designation.

whether the injunction should be vacated. A copy of this order shall stand as the mandate of this court.

ENTERED FOR THE COURT,

Deanell Reece Tacha
Circuit Judge