NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

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112 GENESEE STREET, LLC, ET AL.
Plaintiffs-Appellees

v.

UNITED STATES,
Defendant-Appellant

2025-1373

Appeal from the United States Court of Federal Claims in No. 1:23-cv-01876-RAH, Judge Richard A. Hertling.

ON PETITION FOR PANEL REHEARING AND REHEARING EN BANC

Before MOORE, *Chief Judge*, LOURIE, DYK, PROST, REYNA, TARANTO, CHEN, HUGHES, STOLL, CUNNINGHAM, and STARK, *Circuit Judges*,[1] and ANDREWS, *District Judge*.[2]

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[1] Circuit Judge Newman did not participate.

[2] Honorable Richard G. Andrews, District Judge, United States District Court for the District of Delaware,

PER CURIAM.

O R D E R

The United States filed a combined petition for panel rehearing and rehearing en banc. A response to the petition was invited by the court and filed by Appellees 112 Genesee Street, LLC, 1233 Polk Street, LLC, et al. The petition was referred to the panel that heard the appeal, and thereafter the petition was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

FOR THE COURT

June 29, 2026
Date

Jarrett B. Perlow
Clerk of Court

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sitting by designation, participated only in the decision on the petition for panel rehearing.