

FILED

March 23, 2005

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 05-10048

FLOWSERVE US INC

Plaintiff - Appellee

v.

DEPARTMENT OF LABOR; OCCUPATIONAL SAFETY AND HEALTH
ADMINISTRATION

Defendants - Appellants

Appeal from the United States District Court for the
Northern District of Texas, Dallas
3:04-CV-868-H

Before WIENER, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

IT IS ORDERED that the appellants' unopposed motion to dismiss appeal is GRANTED.

IT IS FURTHER ORDERED that the appellants' unopposed motion to vacate the District Court orders of November 2, 2004 and December 13, 2004 is GRANTED.

IT IS FURTHER ORDERED that the appellants' unopposed motion to remand the case to the United States District Court for the Northern District of Texas, Dallas Division, with directions that the case be dismissed as moot is GRANTED.

* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.