

Misc. No. 2021-141

**United States Court of Appeals
for the Federal Circuit**

IN RE VULCAN INDUSTRIAL HOLDINGS, LLC, VULCAN ENERGY
SERVICES, LLC, AND CIZION, LLC D/B/A VULCAN INDUSTRIAL
MANUFACTURING, LLC,

Petitioners.

*On Petition for a Writ of Mandamus to the U.S. District Court for the
Western District of Texas in Case No. 6:20-cv-200-ADA, Hon. Alan D. Albright*

JOINT MOTION TO DISMISS WITH PREJUDICE

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May 10, 2021

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IT IS HEREBY STIPULATED AND AGREED between Petitioners' Vulcan Industrial Holdings, LLC, Vulcan Energy Services, LLC, and Cizion, LLC d/b/a Vulcan Industrial Manufacturing ("Petitioner") and Respondent Kerr Machine Co. ("Respondent") that all appeals and claims between and among Petitioner and Respondent be dismissed with prejudice, with each party bearing their own attorneys' fees, cost, and other expenses. Therefore, the parties respectfully request dismissal of the above-captioned petition for a writ of mandamus pursuant to Federal Rule of Appellate Procedure 42(b).

AGREED this 10th day of May, 2021.

Respectfully submitted,

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