

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

UNITED STATES OF AMERICA,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No. 12-2578
	)	
MASK OF KA-NEFER-NEFER,	)	
et al.,	)	
	)	
Appellees.	)	

**STATUS REPORT OF APPELLANT THE UNITED  
STATES OF AMERICA PURSUANT TO ORDER DATED OCTOBER 12, 2012**

COMES NOW the United States, by and through its attorneys Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Dianna R. Collins and Richard E. Finneran, Assistant United States Attorneys for said District, and provides a status report regarding the progress of settlement discussions between the parties.

1. On October 18, 2012, this Court granted the United States' motion to hold the briefing schedule in abeyance pending the resolution of settlement discussions between the parties. As the United States then indicated, the parties believed that continued discussions would be productive and that there was a significant possibility that they would reach a resolution that would obviate the need for the appeal to continue. The United States also noted the challenges presented by the geographic peculiarities of case and the necessity of further consultation with the Solicitor General, the Department

of State, and the government of the Republic of Egypt before a settlement could be finalized.

2. In the interim between the Court's order and this status report, the parties have continued to engage in discussions relating to a possible resolution of the case. The parties continue to believe that a resolution is possible, and that if such a resolution is reached, this appeal shall be dismissed.

3. In connection with these discussions, the parties are planning to meet between February 25 and 27, 2013 at a location agreed upon by the parties, where Appellant, Appellee, and the Republic of Egypt will each be represented. It is the hope of the parties that this meeting will result in the parties and the Republic of Egypt coming to terms that will settle this matter in its entirety, such that no further appellate proceedings will be required.

4. The United States therefore requests that this Court's October 18, 2012 order holding the briefing schedule in abeyance remain in effect until such time as the United States may inform the Court of the outcome such negotiations.

5. This delay will not prejudice the appellee, who continues its beneficial use of the defendant property.

WHEREFORE the United States respectfully requests that the Court hold the briefing schedule in abeyance until further notice so as to permit the parties to conclude any settlement discussions, and for such other and further relief as the Court deems just and proper.

Dated: January 17, 2013

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on January 17, 2013, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all counsel of record.

/s/ Richard E. Finneran  
RICHARD E. FINNERAN, #60768  
Assistant United States Attorney