

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

**February 4, 2014**

**Elisabeth A. Shumaker**  
**Clerk of Court**

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KRISTOPHER D. YARBARY,

Petitioner,

v.

MARTIN, PRINGLE, OLIVER,  
WALLACE & BAUER, LLP; UNUM  
GROUP CORPORATION; MARTIN W.  
BAUER; DAVID S. WOODING; JEFF C.  
SPAHN, JR.; MICHAEL G. JONES;  
RICHARD K. THOMPSON,

Respondents.

No. 14-600  
(D.C. No. 2:12-CV-02773-CM-DJW)

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**ORDER**

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Before **BACHARACH, O'BRIEN**, and **PHILLIPS**, Circuit Judges.

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This proceeding is before us on petitioner Kristopher Yarbary's *Petition for Permission to Appeal*. The Petition was filed per Fed. R. App. P. 5(a) and 28 U.S.C. §1292(b). In addition, we also have on file separate responses from the Martin, Pringle firm and UNUM Group Corporation. Mr. Yarbary has also filed motions to strike the two responses, and has submitted a request to file electronically.

Upon consideration of the pleadings, the two motions to strike are denied, as is the request to file electronically. In addition, upon careful consideration of the petition itself and the applicable law, Mr. Yarbary's petition for permission to appeal is DENIED.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", with a long horizontal flourish extending to the right.

ELISABETH A. SHUMAKER, Clerk