

**United States Court of Appeals**  
***For The Eighth Circuit***  
Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329  
**St. Louis, Missouri 63102**

**Michael E. Gans**  
*Clerk of Court*

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March 13, 2015

Mr. Robert Mark Loeb  
ORRICK & HERRINGTON  
Columbia Center  
1152 15th Street, N.W.  
Washington, DC 20005-1706

RE: 14-1210 PHL Variable Insurance Company v. Bank of Utah

Dear Counsel:

The court has issued an opinion in this case. Judgment has been entered in accordance with the opinion. The opinion will be released to the public at 10:00 a.m. today. Please hold the opinion in confidence until that time.

Please review [Federal Rules of Appellate Procedure](#) and the [Eighth Circuit Rules](#) on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing and petitions for rehearing en banc must be received in the clerk's office within 14 days of the date of the entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. No grace period for mailing is allowed, and the date of the postmark is irrelevant for pro-se-filed petitions. Any petition for rehearing or petition for rehearing en banc which is not received within the 14 day period for filing permitted by FRAP 40 may be denied as untimely.

Michael E. Gans  
Clerk of Court

CMD

Enclosure(s)

cc: Ms. Kadee J. Anderson  
Ms. Jennifer J. Arbuse  
Shaila Rahman Diwan  
Mr. Stephen Foresta  
Mr. Jarrett E. Ganer  
Mr. Adam Andrew Gillette  
Mr. Timothy Patrick Griffin  
Ms. Nancy E. Harris  
Mr. Thomas F. A. Hetherington  
Ms. Shannon A. Lang

Mr. Khai LeQuang I  
Mr. Robert Lewin  
Mr. David T. McDowell  
Mr. Thomas Franklin Nelson  
Mr. Alec Orenstein  
Ms. Ashley M. Parker  
Mr. Marc R. Shapiro  
Mr. Richard Sletten  
Mr. Philipp Smaylovsky  
Mr. Hutson Brit Smelley  
Mr. Thomas R. Weinberger  
Mr. Boris Ziser

District Court/Agency Case Number(s): 0:12-cv-01256-ADM