

In the United States Court of Federal Claims

No. 26-176C
Filed: March 12, 2026

**GATEWAY DEVELOPMENT
COMMISSION,**

Plaintiff,

v.

UNITED STATES,

Defendant.

ORDER

For the reasons provided in the memorandum opinion filed concurrently with this order, the defendant's motion (ECF 27) for dismissal of counts I-VI for lack of jurisdiction due to mootness is **GRANTED** under Rule 12(b)(1) and Rule 12(h)(3) of the Rules of the Court of Federal Claims ("RCFC"). Alternatively, the defendant's motion for dismissal of counts I-VI for failure to state a claim is **GRANTED** under RCFC 12(b)(6). The plaintiff's motion for partial summary judgment on counts I-VI (ECF 18) is **DENIED**.

The parties shall file a status report by 4:30 p.m. EDT on **March 12, 2026**, advising of any proposed redactions to the opinion so that it may be made available to the public.

Counts VII and VIII of the complaint (ECF 1) remain pending. The parties shall file a joint status report by **March 19, 2026**, proposing a schedule for further proceedings. The plaintiff shall also indicate in this status report whether it still wishes to pursue entry of partial final judgment for counts I-VI under RCFC 54(b).

The Court will hold an in-person status conference at the National Courts Building, 717 Madison Place NW, Washington, D.C., on **March 24, 2026, at 10:00 a.m. EDT**.

It is so **ORDERED**.

s/ Richard A. Hertling
Richard A. Hertling
Judge