

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-7064

September Term, 2020
FILED ON: MARCH 16, 2021

ALAN PHILIPP, ET AL.,
APPELLEES

v.

FEDERAL REPUBLIC OF GERMANY, A FOREIGN STATE AND STIFTUNG PREUSSISCHER KULTURBESITZ,
APPELLANTS

Consolidated with 17-7117

On Remand from the Supreme Court
of the United States

Before: TATEL and WILKINS, *Circuit Judges*

J U D G M E N T

These causes came to be heard on remand from the Supreme Court of the United States, vacating this court's judgment filed July 10, 2018, and remanding for further proceedings. Upon consideration of the foregoing, it is

ORDERED and ADJUDGED that these consolidated cases be remanded to the District Court for further proceedings consistent with the Supreme Court's opinion in Federal Republic of Germany v. Philipp, 141 S. Ct. 703 (2021). On remand, the District Court is to consider whether the sale of the Welfenschatz is not subject to the domestic takings rule because the consortium members were not German nationals at the time of the transaction, including whether this argument was adequately preserved in the District Court. Id. at 716-17.

The Clerk is directed to issue the mandate forthwith to the District Court.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk

Date: March 16, 2021