

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

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At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of February, two thousand and thirteen.

Before:        Jon O. Newman,  
                  Ralph K. Winter,  
                  Rosemary S. Pooler,  
                  *Circuit Judges.*

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United States of America,

Plaintiff - Appellee,

Vulcan Society, Marcus Haywood, Candido  
Nunez, Roger Gregg,

Intervenor Plaintiffs-Appellees-Cross-Appellants,

v.

Michael Bloomberg, Mayor, New York Fire  
Commissioner Nicholas Scoppetta, in their  
individual and official capacities,  
City of New York,

Defendants-Appellants-Cross-Appellees.

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**ORDER**

Docket No. 11-5113 (L)  
12-491 (XAP)

Appellants-Cross-Appellees the City of New York *et al.* have filed a motion for a stay, pending a decision on the appeal, of all appealed-from provisions of the December 8, 2011 injunctive order issued by the Hon. Nicholas G. Garaufis in the United States District Court for the Eastern District of New York. Appellees-Cross-Appellants Roger Gregg, *et al.*, have opposed the motion. Upon consideration,

IT IS HEREBY ORDERED that the motion is GRANTED and the injunctive order is stayed, pending a decision on the appeal by this Court.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe

UNITED STATES  
SECOND CIRCUIT  
COURT OF APPEALS