

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

# MANDATE

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 9th day of December, two thousand and fifteen.

Before: Robert A. Katzmann,  
*Chief Judge,*  
José A. Cabranes,  
Christopher F. Droney,  
*Circuit Judges.*

1:09-cv-00118-VM-FM

PricewaterhouseCoopers LLP, PricewaterhouseCoopers Accountants N.V., Citco Group Limited, Citco Fund Services (Europe) BV, Citco (Canada), Incorporated, Citco Global Custody N.V., CITCO Bank Nederland N.V. Dublin Branch and Citco Fund Services (Bermuda) Limited,

Petitioners,

v.

AXA Private Management, Pacific West Health Medical Center Inc. Employees Retirement Trust, Harel Insurance Company Ltd., Martin and Shirley Bach Family Trust, Natalia Hatgis, Securities & Investment Company Bahrain, Dawson Bypass Trust, St. Stephen's School,

Respondents.

**ORDER**

Docket Nos. 15-792(L); 15-806(Con)

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ELECTRONICALLY FILED  
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DATE FILED: Dec. 09, 2015

Petitioners have moved, pursuant to Federal Rule of Civil Procedure 23(f), for leave to appeal the district court's order granting Respondents' motion for class certification. By letter dated November 20, 2015, Petitioners Citco Group Limited, Citco Fund Services (Europe) BV, Citco (Canada), Incorporated, Citco Global Custody N.V., CITCO Bank Nederland N.V. Dublin Branch and Citco Fund Services (Bermuda) Limited ("the Citco Petitioners") informed this Court that the district court has entered a final judgment and order of dismissal of claims asserted in this action against Citco. By letter dated November 30, 2015, Petitioners PricewaterhouseCoopers LLP, PricewaterhouseCoopers Accountants N.V. ("the PwC Petitioners") informed this Court that the parties have reached an agreement to settle the underlying case and that they expect to present a formal settlement agreement to the district court for approval within the next few weeks.

Upon due consideration, it is hereby ORDERED that the Rule 23(f) petition filed by the Citco Petitioners, docket no. 15-806, is DENIED as moot in light of the district court's final judgment and order of dismissal. It is further ORDERED that the Rule 23(f) petition filed by the

MANDATE ISSUED ON 12/09/2015

PwC Petitioners, docket no. 15-792, is held in abeyance pending the finalization of the parties' settlement and the district court's approval of the settlement. The PwC Petitioners must submit, in 30-day intervals, a letter updating the Court as to the status of their case.

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  
Catherine O'Hagan Wolfe