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This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 177

Victor J. Runner,
Respondent,

v.

New York Stock Exchange, Inc., et
al.,

Appellants.

Christopher Simone, for appellants.
David H. Mayer, for respondent.

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Certification of questions by the United States Court of Appeals
for the Second Circuit, pursuant to section 500.27 of this
Court's Rules of Practice, accepted and the issues presented are
to be considered after briefing and argument. Chief Judge Lippman
and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided June 24, 2009