

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

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 10th day of October, two thousand and thirteen.

David Floyd, *et al.*,

Plaintiffs-Appellees,

v.

City of New York,

Defendant-Appellant,

Sergeants Benevolent Association,

Proposed Intervenor-Appellant,

New York City Police Officer Rodriguez, *et al.*,

Defendants.

ORDER


Docket No. 13-3088

Appellees move to dismiss the appeal for lack of appellate jurisdiction. Appellant opposes the motion.

IT IS HEREBY ORDERED that the motion to dismiss is REFERRED to the merits panel that will ultimately resolve the appeal.

For the Court:

Catherine O'Hagan Wolfe,
Clerk of Court


Catherine O'Hagan Wolfe

