

# MANDATE

1:08-cv-06978-TPG

S.D.N.Y.-N.Y.C.  
Griesa, J.\*

## 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 7<sup>th</sup> day of April, two thousand fifteen.

Present:

Rosemary S. Pooler,  
Susan L. Carney<sup>1</sup>,  
*Circuit Judges.*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: **April 28, 2015**

NML Capital, Ltd.,

*Plaintiff-Appellee,*

v.

Republic of Argentina,

*Defendant-Appellant.*

14-4134  
14-4143  
14-4147

Aurelius Capital Master, Ltd., ACP Master, Ltd.,

*Plaintiffs-Appellees,*

v.

14-4145  
14-4161

\* The relevant district court docket numbers are: 08-cv-6978; 09-cv-1707; 09-cv-8757; 09-cv-1708; 10-cv-5338; 10-cv-1602; 10-cv-3507; 09-cv-10620; 10-cv-3970; 10-cv-8339; 10-cv-4101; 10-cv-4782; and 10-cv-9587.

1 - Judge Raymond J. Lohier, a member of the original panel subsequently recused himself. Therefore, this case is decided by the two remaining members of the panel pursuant to Internal Operating Procedure E(b) of the Rules of the United States Court of Appeals for the Second Circuit.

**MANDATE ISSUED ON 04/28/2015**

Republic of Argentina,  
*Defendant-Appellant.*

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Pablo Alberto Varela, et al.,  
*Plaintiffs-Appellees,*

v.

14-4148

Republic of Argentina,  
*Defendant-Appellant.*

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Aurelius Opportunities Fund II, LLC, Aurelius Capital Master, Ltd.,  
*Plaintiffs-Appellees,*

v.

14-4150

14-4152

Republic of Argentina, 14-4167

14-4175

*Defendant-Appellant.*

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Blue Angel Capital I LLC,  
*Plaintiff-Appellee,*

v.

14-4190

14-4193

Republic of Argentina,  
*Defendant-Appellant,*

Bank of America, N.A.,  
*Respondent.*

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Olifant Fund, Limited,

*Plaintiff-Appellee,*

v.

14-4213

Republic of Argentina,

*Defendant-Appellant.*

For purposes of this order, the above-captioned appeals are consolidated and the captions are amended as shown above.

The Appellees move to dismiss these appeals for lack of jurisdiction. Upon due consideration, it is hereby ORDERED that Appellees' motions are GRANTED and the appeals are DISMISSED. We conclude that a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291, and the collateral order doctrine does not apply to this appeal. *See Coopers & Lybrand v. Livesay*, 437 U.S. 463, 467-69 (1978); *Blue Ridge Investments, L.L.C. v. Republic of Argentina*, 735 F.3d 72, 80-81 (2d Cir. 2013).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

 

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Catherine O'Hagan Wolfe, Clerk

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United States Court of Appeals, Second Circuit

 