

NYSD CASE #: 1:12-cv-02826-DLC

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 21st day of January, two thousand and fourteen.

Before: Raymond J. Lohier, Jr., Circuit Judge.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: January 21, 2014

United States of America,

Plaintiff-Appellee,

v.

Apple Inc.,

Defendant-Appellant.

ORDER Docket No. 14-60

Appellant moves for (1) a stay of that portion of the district court's injunction entered on September 5, 2013 that imposes an external compliance monitor, pending appeal of the district court's judgment as well as its denial of objections to the external compliance monitor's conduct, and (2) for an administrative stay pending the Court's adjudication of this motion. The Government opposes the request for a stay pending appeal, but does not oppose the request for an administrative stay.

IT IS HEREBY ORDERED that the motion for a stay pending appeal is REFERRED to a three-judge motions panel and shall be heard as soon as possible. IT IS FURTHER ORDERED that an administrative stay of the district court's order is granted until the motion for stay pending appeal is determined by the motions panel. The Government's opposition to the motion for a stay pending appeal must be filed by close of business on Friday, January 24, 2014.

For the Court:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe (handwritten signature)

Catherine O'Hagan Wolfe (handwritten signature) with official seal