

S.D.N.Y.-N.Y.C.
15-cv-5273
Wood, 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 4th day of January, two thousand twenty-two.

Present:

Dennis Jacobs,
William J. Nardini,
*Circuit Judges.*¹

Ayanna J., by her next friend, Meyghan
McCrea, et al.,

Petitioners,

v.

21-2262

The City of New York, et al.,

*Respondents.*²

Petitioners request, pursuant to Federal Rule of Civil Procedure 23(f), leave to appeal the district court's order denying Petitioners' motion for class certification. Upon due consideration, it is


1 Judge Raggi has recused herself from consideration of this motion. Pursuant to Second Circuit Internal Operating Procedure E(b), the matter is being decided by the two remaining members of the panel.

2 This Court's official caption lists "Ayanna J." as the first petitioner, while the parties' papers and district court's orders list "Elisa W." first. Federal Rule of Appellate Procedure 12(a) requires this Court to use the "title" given to the case by the district court. The district court docket lists "Ayanna J." first, but provides an abbreviated title at the top of the docket, "Elisa W. et al. v. The City Of New York, et al." The parties should consult with this Court's Clerk's Office as to the proper caption.

hereby ORDERED that the petition is GRANTED. *See Sumitomo Copper Litigation v. Credit Lyonnais Rouse, Ltd.*, 262 F.3d 134 (2d Cir. 2001).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court


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