

S.D.N.Y.-N.Y.C.
07-cv-2715
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 Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 18th day of June, two thousand nine,

Present:

Hon. Ralph K. Winter,
Hon. José A. Cabranes,
Hon. Peter W. Hall,
Circuit Judges.

Aurelius Capital Partners, LP, *et al.*,

Plaintiffs-Appellees,

v.

The Republic of Argentina,

Defendant-Appellant,

Union de Administradoras de Fondos de
Jubilacion, *et al.*,

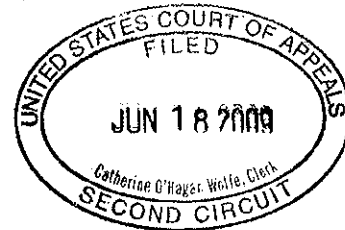
Interested-Non-Party Appellants,

Administracion Nacional De Seguridad Social,

Non-Party-Appellant,

Citibank, N.A.,

Non-Party-Appellant.



09-2450-cv

- Non-Party-Appellant Citibank, N.A., seeks review of the district court's discovery order. However, this Court has determined that it lacks jurisdiction over this appeal because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291. See *Coopers & Lybrand v. Livesay*, 437 U.S. 463, 467 (1978). Furthermore, this Court will not exercise pendent appellate jurisdiction over the appeal because it does not present any issue that is "inextricably intertwined" with a question that is the proper subject of an immediate appeal," and review of the discovery order is not "necessary to ensure meaningful review of a jurisdictionally sufficient one" *LaForest v. Former Clean Air Holding Co.*, 376 F.3d 48, 51 (2d Cir. 2004) (quoting *Rein v. Socialist People's Libyan Arab Jamahiriya*, 162 F.3d 748, 757-58 (2d Cir. 1998) (internal quotation marks omitted)). Upon due consideration, it is hereby ORDERED that the appeal is DISMISSED. It is further ORDERED that the motion of Citibank, N.A. for a stay is DENIED as moot.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: 