

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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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 2<sup>nd</sup> day of November, two thousand sixteen.

Present:

John M. Walker, Jr.,  
Peter W. Hall,  
Denny Chin,  
*Circuit Judges.*

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Allco Finance Limited,

*Plaintiff-Appellant,*

v.

16-2946 (L);  
16-2949 (Con)

Robert J. Klee, in his official capacity as  
Commissioner of the Connecticut Department  
of Energy and Environmental Protection, et al.,

*Defendants-Appellees.*

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Appellant moves for an emergency injunction pending this appeal. Upon due consideration, it is hereby ORDERED that the motion is GRANTED to the following extent:

- (1) Defendants-Appellees are enjoined from awarding, entering into, executing, or approving any wholesale electricity contracts in connection with the current energy solicitation (the 2015 RFP) during the pendency of this appeal;
- (2) Subject to subparagraph (3) below, this order granting temporary relief shall not apply retroactively to any wholesale electricity contract that has been entered into, executed, and approved as of the date of this order.

(3) Upon application, or sua sponte, the provisions of this order may be amended at any time by the panel assigned to hear the merits of this appeal.

It is further ORDERED that this appeal is expedited according to the following schedule:


Appellant's brief is already filed;


Appellees' brief shall be filed on the date currently scheduled, November 22, 2016;

Appellant's reply brief, if any, shall be filed by close of business, November 29, 2016;

This appeal shall be set for argument as early as the week of December 5, 2016.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

  
Catherine O'Hagan Wolfe

The seal of the United States Second Circuit Court of Appeals is circular. It features a red outer ring with the words "UNITED STATES" at the top and "COURT OF APPEALS" at the bottom. Inside the ring, the words "SECOND CIRCUIT" are written in black, flanked by two small stars.