

W.D.N.Y.
07-cv-451
Skretny, C.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 28th day of May, two thousand fourteen.

Present:

Debra Ann Livingston,
Christopher F. Droney,
Circuit Judges,
Pamela K. Chen,
*District Judge.**

Citizens Against Casino Gambling in Erie County, *et al.*,

*Plaintiffs-Appellants-
Cross-Appellees,*

v.

11-5171 (L);
11-5466 (con);
13-2339 (con);
13-2777 (XAP)

Philip N. Hogen, in his official capacity as Chairman
of the National Indian Gaming Commission, *et al.*,

*Defendants-Appellees-
Cross-Appellants.*

The Seneca Nation of Indians moves for leave to intervene on appeal and for leave to file an oversized *amicus curiae* brief. Upon due consideration, it is hereby ORDERED that the motion for leave to intervene is DENIED. *See generally* Fed. R. Civ. P. 24(b); *Int'l Union of Automobile*

*Judge Pamela K. Chen, of the United States District Court for the Eastern District of New York, sitting by designation.

Workers v. Scofield, 382 U.S. 205, 217 n.10 (1965) (“The Federal Rules of Civil Procedure, of course, apply only in federal district courts. Still, the policies underlying intervention may be applicable in appellate courts.”). It is further ORDERED that the motions for leave to file an oversized *amicus curiae* brief are GRANTED. See Fed. R. App. P. 29.

FOR THE COURT:
Catherine O’Hagan Wolfe, Clerk


