

S.D.N.Y.- N.Y.C.  
09-cv-10101  
09-cv-10105  
Abrams, J.

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 9<sup>th</sup> day of April, two thousand fourteen.

Present:

Amalya L. Kearse,  
Dennis Jacobs,  
Gerard E. Lynch,  
*Circuit Judges.*

**USDC SDNY  
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Capitol Records, LLC, a Delaware Limited Liability Company, *et al.*,

*Plaintiffs-Respondents,*

v.

14-15

Vimeo, LLC, a Delaware Limited Liability Company, DBA Vimeo.com, *et al.*,

*Defendants-Petitioners,*

Does, 1-20 inclusive,

*Defendants.*

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EMI Blackwood Music, Inc., a Connecticut Corporation, *et al.*,

*Plaintiffs-Respondents,*

v.

14-16

Vimeo, LLC, a Delaware Limited Liability Company,  
DBA Vimeo.com, *et al.*,

*Defendants-Petitioners,*

Does, 1-20 inclusive,

*Defendants.*

Petitioners move in the above-captioned proceedings, pursuant to 28 U.S.C. § 1292(b), for leave to appeal an interlocutory order of the district court. Respondents cross-petition in each proceeding for leave to appeal the same interlocutory order. Petitioners also move to consolidate the above-captioned proceedings for purposes of interlocutory review, and for leave to file reply papers in support of their § 1292(b) petitions.

Upon due consideration, it is hereby ORDERED that the § 1292(b) petitions and cross-petitions are GRANTED. *See Klinghoffer v. S.N.C. Achille Lauro*, 921 F.2d 21, 23-25 (2d Cir. 1990). It is further ORDERED that Petitioners' motion to consolidate is GRANTED. Finally, it is ORDERED that Petitioners' motion for leave to file reply papers is GRANTED and the proposed papers have been considered by this panel.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

  


A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  
