

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 14th day of September, Two Thousand Fifteen,

PRESENT: Robert A. Katzmann,
Chief Judge
Dennis Jacobs
José A. Cabranes
Rosemary S. Pooler
Reena Raggi
Richard C. Wesley
Peter W. Hall
Debra A. Livingston
Gerard E. Lynch
Denny Chin
Raymond J. Lohier, Jr.
Susan L. Carney
Christopher F. Droney,
Circuit Judges

IT IS HEREBY ORDERED that the Local Rules of the United States Court of Appeals for the Second Circuit, following the 30-day public comment period prescribed by 28 U.S.C. § 2071(b) and Fed. R. App. P. 47(a)(1), are amended as follows, effective immediately:

IOP 35.1 En Banc Poll and Decision

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(b) **Judges Eligible to Vote in an En Banc Poll.** Only an active judge may vote to determine whether a case should be heard or reheard en banc and whether an en banc panel, once constituted, should be dissolved. A judge's status as an active or senior judge for the purpose of an en banc poll is determined on the date of entry of the en banc order.

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FOR THE COURT



Catherine O'Hagan Wolfe
Clerk of Court

Underline – material added