

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 6th day of September, two thousand sixteen.

Present:

Robert A. Katzmann,
Chief Judge,
Robert D. Sack,
Peter W. Hall,
Circuit Judges.

Friends of the East Hampton Airport, Inc., et al.,

Plaintiffs-Appellees,

v.

16-931

Committee to Stop Airport Expansion, et al.,

Movants-Appellants,

Federal Aviation Administration, Michael P. Huerta,
FAA Administrator, in his official capacity,

Defendants.

Appellees move to dismiss, for lack of appellate jurisdiction, an appeal from the district court's order denying the Appellants' motion for intervention as of right but granting limited permissive intervention. *See* Fed. R. Civ. P. 24. Appellants oppose the motion. Upon due consideration, it is hereby ORDERED that Appellees' motion to dismiss is GRANTED, and the appeal is DISMISSED for lack of appellate jurisdiction. The challenged order is not final or immediately appealable under the collateral order doctrine. *See* 28 U.S.C. § 1291; *Coopers & Lybrand v. Livesay*, 437 U.S. 463, 467 (1978); *see also Stringfellow v. Concerned Neighbors in Action*, 480 U.S. 370, 380 (1987); *Eng v. Coughlin*, 865 F.2d 521, 526 (2d Cir. 1989).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk


Catherine O'Hagan Wolfe

