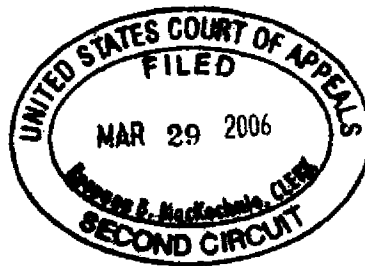


MANDATE



E.D.N.Y.
00-cv-2258
Platt, 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, at Foley Square, in the City of New York, on the _____ day of _____ two thousand six,

Present:

Hon. Wilfred Feinberg,
Hon. Robert A. Katzmann,
Hon. Reena Raggi,
Circuit Judges.

FILED
2006 Mar 25 P 3:40
DISTRICT COURT

Mary A. Devito, *et al.*

Plaintiffs-Respondents,

v.

05-8020-mv

Metlife, Inc. and
Metropolitan Life,

Defendants-Petitioners.

Petitioners move pursuant to Fed. R. Civ. P. 23(f) for an interlocutory appeal of the district court's order certifying the putative class. Upon due consideration, it is ORDERED that the petition is denied, because an immediate appeal is not warranted. *See Sumitomo Copper Litigation v. Credit Lyonnais Rouse, Ltd.*, 262 F.3d 134, 139-40 (2d Cir. 2001).

FOR THE COURT:
Roseann B. MacKechnie, Clerk

By: *Priscilla Carr*

A TRUE COPY
ROSEANN B. MACKECHNIE, CLERK

By: *4ed*
Deputy Clerk
Date: *4/2/06*

ISSUED AS MANDATE: *4ed*
4/2/06