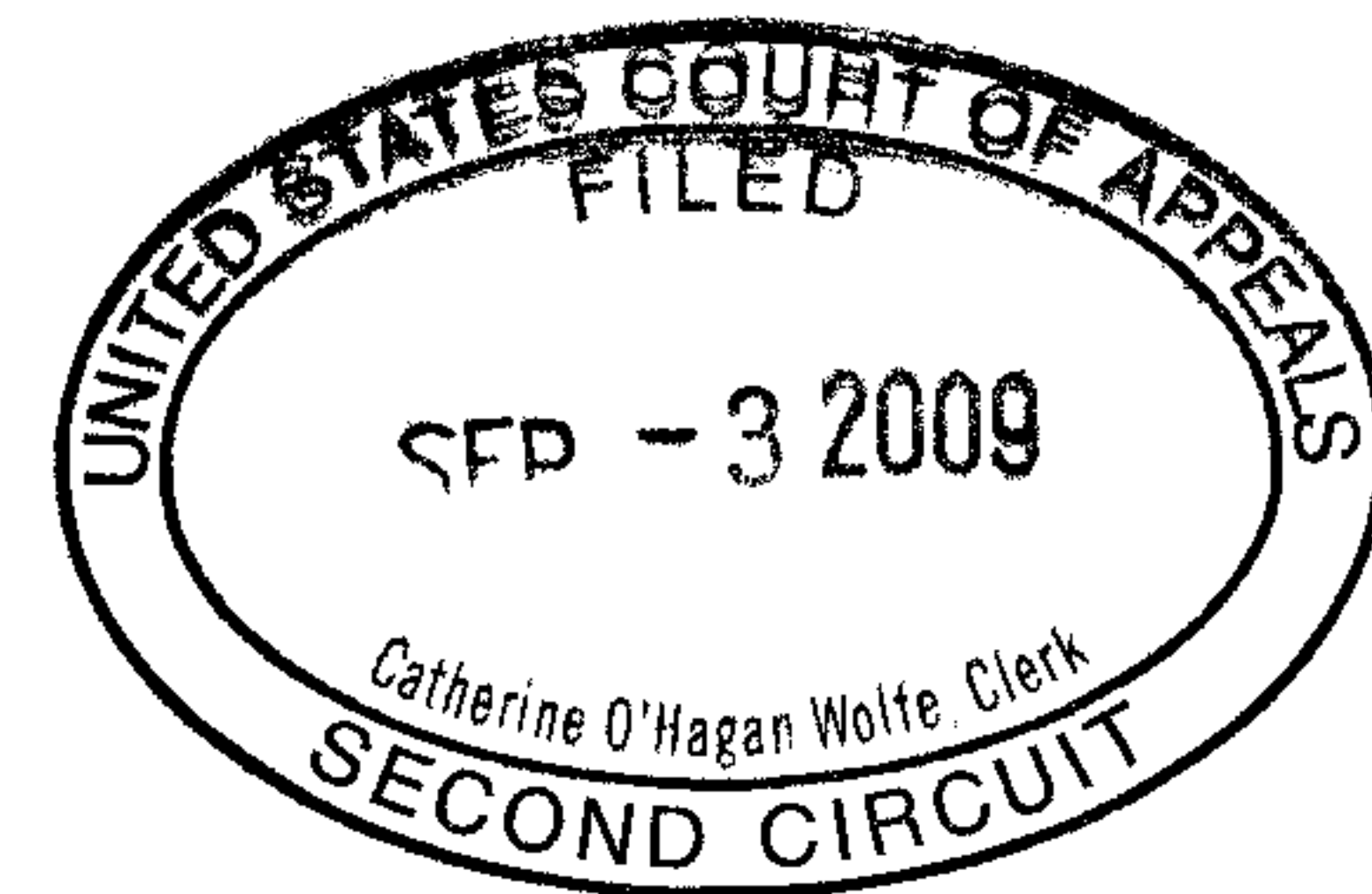


UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT



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At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 3rd day of September, two thousand and nine.

PRESENT: José A. Cabranes,  
Peter W. Hall,  
*Circuit Judge.*

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Mary A. Devito, Kevin L. Hymms, Harry S. Purnell III, Kathy Vanderveur, Michael A. Giannattasio, on behalf of himself and all others similarly situated,

Plaintiffs-Appellees,

v.

**ORDER**

Docket Number: 09-3716-cv

Metropolitan Life Insurance Co., doing business as Metlife,, Metlife, Inc.,

Defendants-Appellants,

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The Court having issued a temporary stay ordering that the United States District Court for the Eastern District of New York should not discharge the jurors that had been called in the case In re MetLife Demutualization Litigation, Docket No. 00-cv-2258, and the Court having been informed that the District Court had already effected the discharge of the jurors prior to being informed of this Court's issuance of that stay, now therefore, it is ORDERED:

1. The temporary stay earlier issued by a single member of the Court is hereby confirmed, and the decision and order of the United States District Court for the Eastern District of New York (Hon. Thomas C. Platt, Jr., *District Judge*) to release the jurors who have been summoned for proceedings in the case In re MetLife Demutualization Litigation, Docket No. 00-cv-2258 is STAYED until further order of the court.

2. Commencing Friday, September 4, 2009 and continuing thereafter until the task is accomplished, the Clerk's Office for the United States District Court for the Eastern District of New York shall notify any and all dismissed jurors by any available means, including, if necessary, individual phone calls, of the following:

- (1) that the prior communication from the Clerk's Office notifying them that they were excused from jury service was in error,
- (2) that each juror remains subject to the call of the district court, and
- (3) that each juror shall not communicate with anyone about the case.

FOR THE COURT,  
Catherine O'Hagan Wolfe,  
Clerk

By: Joy Fallek  
Joy Fallek, Administrative Attorney