

# MANDATE

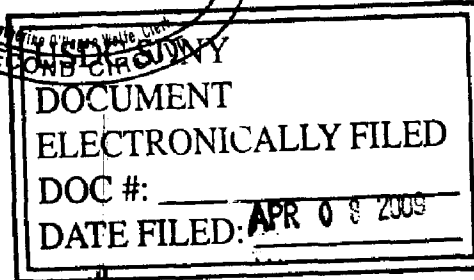
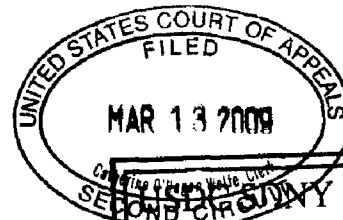
S.D.N.Y. - N.Y.C.  
06-cv-643  
Lynch, J.

## 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 Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 13<sup>th</sup> day of March, two thousand nine,

Present:

Hon. Amalya L. Kearse,  
Hon. Robert A. Katzmann,  
*Circuit Judges,*  
Hon. Denny Chin,\*  
*District Judge.*



Jonathan Lee Riches,  
*Movant-Appellant,*  
Global Management Worldwide Limited, *et al.,*  
*Plaintiffs,*

v.

08-5822-cv

Phillip R. Bennett, *et al.,*  
*Defendants-Appellees.*

This Court has determined *sua sponte* that it lacks jurisdiction over this appeal because the appealed from order, denying certification for immediate appeal, is not appealable as contemplated by 28 U.S.C. § 1291.\*\* *See In re Master Key Antitrust Litigation*, 528 F.2d 5, 8 (2d Cir. 1975). Upon due consideration, it is hereby ORDERED that the appeal is DISMISSED.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

By:

\*The Honorable Denny Chin, of the United States District Court for the Southern District of New York, sitting by designation.

\*\* Appellant also separately appealed from the district court's underlying order denying his motion to intervene. *See* U.S.C.A. Dkt. No. 08-5097-cv. That appeal was denied by Catherine O'Hagan Wolfe, Clerk. Appellant's failure to pay the docketing fee. *See id.*, entry at 01/08/2009.

by

CLERK