

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 26, 2023

Lyle W. Cayce
Clerk

No. 22-51124

KEVIN CLARKE; TREVOR BOECKMANN; HARRY CRANE; CORWIN
SMIDT; ARISTOTLE INTERNATIONAL, INCORPORATED; PREDICT
IT, INCORPORATED; MICHAEL BEELER; MARK BORGHI;
RICHARD HANANIA; JAMES D. MILLER; JOSIAH NEELEY;
GRANT SCHNEIDER; WES SHEPHERD,

Plaintiffs—Appellants,

versus

COMMODITY FUTURES TRADING COMMISSION,

Defendant—Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:22-CV-909

ORDER:

IT IS ORDERED that Appellants' opposed motion for an injunction pending appeal is GRANTED.

IT IS FURTHER ORDERED that Appellants' alternative request for mandamus relief is DENIED AS MOOT.

No. 22-51124

LYLE W. CAYCE, CLERK
United States Court of Appeals
for the Fifth Circuit
/s/ Lyle W. Cayce

ENTERED AT THE DIRECTION OF THE COURT

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

January 26, 2023

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 22-51124 Clarke v. CFTR
USDC No. 1:22-CV-909

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

Christina Rachal

By: _____
Christina C. Rachal, Deputy Clerk
504-310-7651

Mr. Philip Devlin
Mr. Kyle Druding
Mr. Michael J. Edney
Ms. Anne Whitford Stukes