

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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May 01, 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



By: _____
Melissa V. Mattingly, Deputy Clerk
504-310-7719

Mr. Shannen Wayne Coffin
Mr. Kyle Druding
Mr. Michael J. Edney
Ms. Renee Flaherty
Mr. Jeff Rowes
Mr. Russell Ryan
Ms. Anne Whitford Stukes

United States Court of Appeals
for the Fifth Circuit

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

UNPUBLISHED ORDER

Before GRAVES, HO, and DUNCAN, *Circuit Judges.*

PER CURIAM:

Appellee's motion to dismiss the appeal as moot is DENIED. Appellants' cross-motion for a finding of contempt and imposition of sanctions is DENIED. Appellee's unopposed motion to unseal Exhibit 1 to the Motion to Dismiss Appeal as Moot is GRANTED.

No. 22-51124

The court's stay pending appeal, entered on January 26, 2023, is hereby CLARIFIED as follows. Appellee is ENJOINED from closing the PredictIt Market or otherwise prohibiting or deterring the trading of Market contracts until 60 days after a final judgment in this matter.