

**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, 40 Foley Square, in the City of New York, on the 12th day of April, two thousand and eighteen.

Frederick M. Cargian,

Plaintiff - Appellant,

v.

Breitling USA, Inc.,

Defendant - Appellee.

ORDER

Docket No. 16-3592

Appellant Frederick M. Cargian has filed a petition for the appeal to be heard initially *en banc*. The active members of the Court have considered the request for initial hearing *en banc*.

IT IS HEREBY ORDERED that the petition is DENIED.

For the Court:

Catherine O'Hagan Wolfe,
Clerk of Court


