

**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 Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 30<sup>th</sup> day of January, two thousand and seventeen,

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Frederick M. Cargian,

Plaintiff - Appellant,

v.

Breitling USA, Inc.,

Defendant - Appellee.

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**ORDER**

Docket No: 16-3592

Counsel for APPELLEE has filed a scheduling notification pursuant to the Court's Local Rule 31.2, setting April 27, 2017 as the brief filing date.

It is HEREBY ORDERED that Appellee's brief must be filed on or before April 27, 2017. If the brief is not filed by that date, the appeal will proceed to a merits panel for determination forthwith, and Appellee will be required to file a motion for permission to file a brief and appear at oral argument. A motion to extend the time to file the brief or to seek other relief will not toll the filing date. See Local Rule 27.1(f)(1); cf. RLI Insurance Co. v. JDJ Marine, Inc., 716 F.3d 41, 43-45 (2d Cir. 2013).

For The Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court

  
