

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

**October 24, 2023**

**Christopher M. Wolpert**  
**Clerk of Court**

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JAYLYN WESTENBROEK, et al.,

Plaintiffs - Appellants,

v.

KAPPA KAPPA GAMMA  
FRATERNITY, an Ohio non-profit  
corporation, as Nominal Defendant and as  
a Direct Defendant, et al.,

Defendants – Appellees,

and

ARTEMIS LANGFORD,

Defendant.

No. 23-8065  
(D.C. No. 2:23-CV-00051-ABJ)  
(D. Wyo.)

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**ORDER**

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This matter is before the court on Appellee’s Motion to Dismiss Appeal for Lack of Appellate Jurisdiction (the “Motion to Dismiss”). We also have Plaintiffs-Appellants’ Opposition to Appellees’ Motion to Dismiss Appeal for Lack of Appellate Jurisdiction (the “Response”).

Upon consideration, the Motion to Dismiss and the Response are referred to the panel of judges that will be assigned later to consider this appeal on the merits. No conclusive decision will be made regarding appellate jurisdiction now or before briefing

on the merits is completed. The parties may address appellate jurisdiction further in their merits briefs, if appropriate.

The district court previously transmitted its notice that the record is complete for purposes of this appeal. Therefore, briefing on the merits will begin. The appellants must file their opening brief and appendix within 40 days of the date of this order. The rest of the briefing schedule will follow Federal Rule of Appellate Procedure 31 and Tenth Circuit Rule 31.

Entered for the Court

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk