

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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Feld Entertainment, Inc.,)	
)	
	Plaintiff,)	
)	
v.)	
)	Civ. No. 07-1532 (EGS)
American Society for the Prevention of Cruelty to Animals, et al.,)	
)	
	Defendants.)	
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PROPOSED ORDER

This matter is before the Court on Defendants’ Motion for Certification or, in the Alternative, for Reconsideration. Upon consideration of the motion, plaintiff’s opposition thereto, and the entire record, it is, by the Court, this __ day of ___, 2012, hereby

Ordered that the motion is granted; and it is further

Ordered that, pursuant to 28 U.S.C. § 1292(b), the Court certifies for appellate review the issue, as addressed in the Court’s July 9, 2012 Memorandum Opinion (DE 90), of whether plaintiff’s First Amended Complaint properly alleges a “pattern of racketeering” sufficient to support a claim under the Racketeer Influenced and Corrupt Organizations Act. The Court determines that its ruling on this issue involves a controlling question of law as to which there is a substantial ground for difference of opinion, and that an immediate appeal may materially advance the ultimate termination of the litigation.

U.S. District Judge