

**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 27th day of April, two thousand and fifteen,

Avatar Securities, LLC, Meredith Bailey, on behalf of themselves
and all others similarly situated, et al.,

Plaintiffs - Appellees,

Thomas E. Nelson, individually and behalf of all others similarly
situated, et al.,

Plaintiffs,

v

The Nasdaq Stock Market L.L.C., a Foreign Limited Liability
Company, NASDAQ OMX Group, Inc., Robert Greifeld, Anna
M. Ewing,

Defendants - Appellants,

Marc L. Andreessen, et al.,

Defendants.

The parties have advised the Court that they have settled the case subject to approval by the district court, and jointly move for adjournment of oral argument and to hold the appeal in abeyance pending settlement approval proceedings in the district court. Upon due consideration, it is hereby ORDERED that the motion is GRANTED. Oral argument is adjourned sine die, and the appeal will be held in abeyance pending the district court's action with respect to the proposed settlement. It is further ORDERED that the parties shall advise the Court of the district court's decision. Should further proceedings in this Court be required, the case shall be assigned to a new panel in the ordinary course.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court


