
APPENDIX A

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

No. 16-3549

[Filed July 27, 2016]

SCOTT DANIEL, et al.,)
)
Plaintiffs-Appellees,)
)
v.)
)
ASCIRA PARTNERS, LLC; PATRICK BAKER;)
BARIATRIC PARTNERS OF TX LLC;)
BARIATRIC PARTNERS OF TX, INC.;)
C. FRANCIS BARRETT; JEFFERY BOGLE;)
JOSEPH BRODERICK, MD; MARGARET)
BUCHANON; HALEEM CHAUNDHARY;)
CHRIST HOSPITAL; CINTI CHILDREN'S)
HOSP MED CTR; CTR FOR ADVANCED)
SPINE TECH, INC.; TRACE CURRY;)
TOM DASKALAKIS; JEFF DRAPALIK;)
ABUBAKAR AITQ DURRANI, MD; NAVEED)
FAZLANI, MD; DOUGLAS FEENEY;)
ELLIOTT FEGELMAN; GOOD SAMARITAN)
HOSPITAL; MICHAEL GOULD; MATTHEW)
HARDIN, MD; PAULA HAWK; JULIE HOLT;)
JAMIE HUNTER; KEVIN JOSEPH;)
JOURNEY LITE OF CINTI, LLC; CAROL)
KING; JAMES A. KINGSBURY; TIMOTHY)
KREMCHEK; DAMON LYNCH, JR.; JERRY)

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MAGONE, MD; DAVID MCCLELLAN;)
EDWARD CRANE; MYLES PENSAK, MD;)
RIVERVIEW HEALTH INSTITUTE LLC; RON)
ROHLFING; DAVID SCHWALLIE; JILL)
STEGMAN; CYNDI TRAFFICANT;)
TRIHEALTH INC.; UC HEALTH;)
W CHESTER HOSP, LLC; CREIGHTON B.)
WRIGHT, MD; JEFFREY WYLER,)
)
Defendants-Appellants,)
_____)

ORDER

Before: MERRITT, DAUGHTREY, and WHITE,
Circuit Judges.

In this appeal, the defendants-appellants seek reversal of the district court’s order remanding a purported “mass action” to state court. Because the defendants sought to remove a “mass action” to federal court pursuant to 28 U.S.C. § 1332(d), their appeal of the district court’s remand order is automatically denied if our Court does not issue a final judgment on the appeal within 60 days of the appeal being filed (or 70 days, if a 10-day extension is granted). 28 U.S.C. §§ 1332(d)(11)(A); 1453(c).

This appeal was docketed on May 25th. More than 60 days have since passed, no extension has been sought or granted, and our Court has not issued a final judgment on this appeal. Thus, by law, the appeal is **DENIED**.

Judge White would have issued an order within the 60-day period vacating the district court’s order and

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remanding for further factual development on the citizenship issues.

ENTERED BY ORDER OF THE COURT

/s/ _____
Deborah S. Hunt, Clerk