

**United States Court of Appeals**  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

November 12, 2018

TO COUNSEL LISTED BELOW:

No. 17-20364 - Patrick J. Collins, Et Al. vs.  
Steven T. Mnuchin, Etc., Et Al.  
USDC No. 4:16-CV-3113

Dear Counsel,

Enclosed is the court's order filed today, directing this case be reheard en banc with oral argument.

Under Fifth Circuit Local Rule 41.3 this order vacates the previous opinion and judgment of this court and stays the mandate.

Appellants will have until December 12, 2018, to file an en banc brief, with a blue cover, with appellees' en banc briefs, with a red cover, due in this office not later than January 11, 2019. **TO ENSURE THE COURT HAS ADEQUATE TIME TO PREPARE FOR THE ARGUMENT OF THIS CASE, NO EXTENSIONS WILL BE GRANTED AND ALL BRIEFS MUST BE IN THE CLERK'S OFFICE BY THE DUE DATE.** You will be directed to furnish twenty two (22) copies of your en banc brief after the electronic filing is reviewed and processed. The case will be heard during the week of January 21, 2019. Counsel for the parties will receive adequate notice as to the exact date and time for the presentation of the oral argument.

Please forward twenty two (22) copies of your opening briefs and record excerpts previously filed, for the use of the en banc court. As you did previously, we request that all copies be spirally bound. **These additional copies are due in the Clerk's Office by not later than Monday, November 26, 2018.**

Sincerely,

LYLE W. CAYCE, Clerk



By:

\_\_\_\_\_  
Geraldyn A. Maher  
Calendar Clerk  
504-310-7630

Mr. Charles Justin Cooper  
Ms. Abby Christine Wright  
Mr. Howard N. Cayne

cc: Hon. Nancy F. Atlas  
Mr. Brian W. Barnes  
Mr. Peter A. Patterson  
Mr. Gerard J. Sinzdak  
Mr. Ian S. Hoffman  
Mr. Dirk Phillips  
Ms. Chad Flores  
Mr. David H. Thompson  
Mr. Mark Bernard Stern  
Mr. Robert J. Katerberg  
Ms. Asim Varma

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 17-20364

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PATRICK J. COLLINS; MARCUS J. LIOTTA; WILLIAM M HITCHCOCK,

Plaintiffs– Appellants

v.

STEVEN T. MNUCHIN, SECRETARY, U.S. DEPARTMENT OF  
TREASURY; DEPARTMENT OF THE TREASURY; FEDERAL HOUSING  
FINANCE AGENCY; MELVIN L. WATT,

Defendants – Appellees

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Appeal from the United States District Court for the  
Southern District of Texas

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ON PETITIONS FOR REHEARING EN BANC

(Opinion July 16, 2018, 5 Cir., 2018, 896 F.3d 640)

Before STEWART, Chief Judge, JONES, SMITH, DENNIS, OWEN, ELROD,  
SOUTHWICK, HAYNES, GRAVES, HIGGINSON, COSTA, WILLETT, HO,  
DUNCAN, ENGELHARDT, and OLDHAM, Circuit Judges.

BY THE COURT:

A member of the court having requested a poll on the petitions for rehearing en banc, and a majority of the circuit judges in regular active service and not disqualified having voted in favor,

IT IS ORDERED that this cause shall be reheard by the court en banc with oral argument on a date hereafter to be fixed. The Clerk will specify a briefing schedule for the filing of supplemental briefs.