

**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 19<sup>th</sup> day of April, two thousand twenty-three.

Before:        Beth Robinson,  
                         *Circuit Judge.*

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Alvin L. Bragg, Jr., in his official capacity as  
District Attorney for New York County,

Plaintiff - Appellant,

v.

Mark F. Pomerantz,

Defendant - Appellant,

v.

Jim Jordan, in his official capacity as Chairman of  
the Committee on the Judiciary, Committee on  
the Judiciary of the United States House of  
Representatives,

Defendants - Appellees.

**ORDER**

Docket No. 23-615-L  
23-616-con

Alvin L. Bragg and Mark F. Pomerantz appeal from a district court order denying a temporary restraining order enjoining enforcement of a subpoena issued to Mr. Pomerantz by the United States House of Representatives Judiciary Committee. The subpoena return date is April 20, 2023 at 10:00 a.m.

Appellants have filed an emergency motion seeking an interim administrative stay and a stay pending appeal of the return date of the subpoena. Appellees oppose the motion.

IT IS HEREBY ORDERED, that an administrative stay of the return date of the subpoena is granted so that a three-judge panel may consider the motion seeking a stay pending appeal of the district court's order. This order reflects no judgment regarding the merits of the parties' respective positions.



Appellees' papers in response to the motion are due April 21, 2023 at 3:00 p.m. The reply is due April 22 at 3:00 p.m. The Clerk is directed to calendar the motion for the first available panel.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
