

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



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ORDER

December 11, 2020

Before

FRANK H. EASTERBROOK, *Circuit Judge*  
MICHAEL S. KANNE, *Circuit Judge*  
DIANE P. WOOD, *Circuit Judge*

<p>No. 20-3114</p>	<p>SECURITIES AND EXCHANGE COMMISSION, Plaintiff - Appellee</p> <p>and</p> <p>KEVIN B. DUFF, Appellee</p> <p>v.</p> <p>CITIBANK, N.A., Defendant - Appellant</p> <p>and</p> <p>FEDERAL NATIONAL MORTGAGE ASSOCIATION, Appellant</p>
<p><b>Originating Case Information:</b></p>	
<p>District Court No: 1:18-cv-05587 Northern District of Illinois, Eastern Division District Judge John Z. Lee</p>	

The following are before the court:

No. 20-3114

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1. **RECEIVER'S MOTION TO DISMISS APPEAL**, filed on November 16, 2020, by counsel for the Appellee Kevin B. Duff.

2. **SECURITIES AND EXCHANGE COMMISSION'S JOINDER OF RECEIVER'S MOTION TO DISMISS**, filed on November 27, 2020, by counsel for Appellee Securities and Exchange Commission.

3. **APPELLANTS' RESPONSE IN OPPOSITION TO APPELLEE RECEIVER'S MOTION TO DISMISS APPEAL**, filed on November 30, 2020, by counsel for the appellants.

4. **RECEIVER'S REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS APPEAL**, filed on December 7, 2020, by counsel for Appellee Kevin B. Duff.

Under 28 U.S.C. § 1292(a)(2) a court of appeals has jurisdiction of appeals from "Interlocutory orders appointing receivers, or refusing orders to wind up receiverships or to take steps to accomplish the purposes thereof, such as directing sales or other disposals of property." Appellants appeal from the district court's October 26, 2020, order granting the receiver's ninth motion to confirm the sale of certain real estate and for the avoidance of certain mortgages, liens, claims and encumbrances. That order does not fall within the scope of § 1292(a)(2). *See United States v. Antiques Ltd. P'ship*, 760 F.3d 668, 671 (7th Cir. 2014). Therefore, **IT IS ORDERED** that the motion to dismiss is **GRANTED** and the appeal is **DISMISSED** for lack of jurisdiction.