

**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 11th day of August, two thousand fourteen.

Stockbridge-Munsee Community,
Plaintiff - Counter Defendant- Appellant,

v.

State of New York, Mario Cuomo, as Governor of the State
of New York, New York State Department of
Transportation, Franklin White, as Commissioner of
Transportation, Madison County, The County of Madison
New York, Oneida County, New York, Town of Augusta,
New York, Town of Lincoln, New York, Village of
Munnsville, New York, Town of Smithfield, New York,
Town of Stockbridge, New York, Town of Vernon, New
York,
Defendant - Counter Claimant- Appellees,

Oneida Indian Nation of New York,
Defendant-Intervenor-Appellee.

ORDER

Docket No: 13-3069

Appellant Stockbridge-Munsee Community filed a petition for panel rehearing, or, in the alternative, for rehearing *en banc*. The panel that determined the appeal has considered the request for panel rehearing, and the active members of the Court have considered the request for rehearing *en banc*.

IT IS HEREBY ORDERED that the petition is denied.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk


