

Southern District of Texas, Houston Division, which denied MET's request that the case against it be dismissed on grounds of arbitrator immunity.

This appeal meets the three requirements set forth in *Cohen* for taking a direct appeal from an "final decision" pursuant to the collateral orders doctrine: (a) the appeal will conclusively determine the disputed question, (b) resolve an important issue completely separate from the merits of the action, and (c) decide an issue effectively unreviewable on appeal from a final judgment. *See Austin Municipal Secur., Inc.*, 757 F.2d at 685; *see also Cohen*, 337 U.S. at 546 (order appealable because "[t]he matters embraced in the order are not of such an interlocutory nature as to affect, or to be affected by, a decision on the merits; and (b) the order is appealable because it is a final disposition of a claimed right which is not an ingredient of the cause of action and does not require consideration with it.").

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned attorney certifies that a true and correct copy of the foregoing *Defendant MET's Notice of appeal* served on all counsel of record or registered agents, on the 5th day of February 2024 in compliance with the Federal Rules of Civil Procedure.

By: /s/ Joseph L. Lanza
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