

ORDER. Plaintiff has appealed the court's 45 Order denying its Motion for a Preliminary Injunction, *see* ECF No. 46, and seeks to enjoin Defendants from enforcing against its members Sections 345 through 347 of Public Act No. 25-168 pending such appeal before the United States Court of Appeals for the Second Circuit, *see* ECF No. 47, at 1 (citing Fed. R. Civ. P. 62(d); Fed. R. App. P. 8(a)(1)(C)).

Because granting the instant Motion for an Injunction Pending Appeal would "affect government action taken in the public interest pursuant to a statutory or regulatory scheme," *see Cnty. of Nassau, N.Y. v. Leavitt*, 524 F.3d 408, 414 (2d Cir. 2008) (quoting *Wright v. Giuliani*, 230 F.3d 543, 547 (2d Cir. 2000)), the court cannot do so absent a showing that **(i)** Plaintiff is "likely to succeed on the merits" of its claims, **(ii)** its members are "likely to suffer irreparable harm" absent an injunction, **(iii)** the "balance of equities tips" in its favor, and **(iv)** a preliminary injunction "would be in the public interest," *see Mahmoud v. Taylor*, 606 U.S. 522, 546 (2025); *see also Salinger v. Colting*, 607 F.3d 68, 79-80 (2d Cir. 2010).

In support of its Motion, Plaintiff points the court to its "prior submissions" and its "arguments" at the hearing on December 9, 2025. ECF No. 47, at 2. The court "carefully has reviewed" such submissions and arguments already, and found them to be insufficient grounds for granting injunctive relief. ECF No. 45, at 1; *see also id.* at 11-18 (explaining that Plaintiff failed to show that it is likely to succeed on the merits of its claims).

Accordingly, the court **DENIES** the 47 Motion for an Injunction Pending Appeal for the reasons articulated in the 45 Order.

It is so ordered. Signed by Judge Omar A. Williams on 12/28/2025.
(Karamanakis, K) (Entered: 12/28/2025)