

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**IN RE BATS TRADING, INC. (ALSO KNOWN AS BATS
EXCHANGE, INC.), THE NASDAQ OMX GROUP, INC.,
NASDAQ OMX PHLX, INC., INTERNATIONAL
SECURITIES EXCHANGE, LLC, CHICAGO BOARD
OPTIONS EXCHANGE, INCORPORATED, NYSE
EURONEXT, NYSE ARCA, INC., NYSE AMEX, LLC,
SECURITIES INDUSTRY AUTOMATION
CORPORATION, OPTIONS PRICE REPORTING
AUTHORITY, BOSTON OPTIONS EXCHANGE
GROUP, LLC, CME GROUP, INC., BOARD OF
TRADE OF THE CITY OF CHICAGO, INC., AND NEW
YORK MERCANTILE EXCHANGE, INC.,**
Petitioners.

Miscellaneous Docket No. 964

On Petition for Writ of Mandamus to the United
States District Court for the Eastern District of Texas in
case nos. 09-Cv-0327, Judge Leonard Davis.

ON PETITION FOR WRIT OF MANDAMUS

O R D E R

BATS Trading, Inc. et al. submit a petition for a writ of mandamus to direct the United States District Court for the Eastern District of Texas to vacate its orders denying transfer and to direct transfer to the United States District Court for the Southern District of New York.

Upon consideration thereof,

IT IS ORDERED THAT:

Realtime Data, LLC is directed to respond no later than November 12, 2010.

FOR THE COURT

OCT 26 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Keith J. Grady, Esq.
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Clerk, United States District Court For The Eastern District Of Texas

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

OCT 26 2010

JAN HORBALY
CLERK