

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FBME BANK LTD., et al.,

Plaintiffs,

v.

**JACOB LEW, in his official capacity as
Secretary of the Treasury, et al.,**

Defendants.

Case No. 15-cv-01270 (CRC)

ORDER

The Administrative Procedure Act “grants a reviewing court authority to postpone the effective date of an agency action ‘to the extent necessary to prevent irreparable injury’” pending judicial review. Bill Barrett Corp. v. U.S. Dep’t of Interior, 601 F. Supp. 2d 331, 336 (D.D.C. 2009) (quoting 5 U.S.C. § 705); see also Mexichem Specialty Resins, Inc. v. EPA, 787 F.3d 544, 562 (D.C. Cir. 2015) (Kavanaugh, J., dissenting) (“Section 705 of the APA authorizes courts to stay agency rules pending judicial review without any time limit on the duration of the stay.”). Due to the complex nature of this matter, the Court requires additional time beyond the final rule’s effective date, July 29, 2016, to complete its review. The Court also finds that Plaintiffs will likely be irreparably harmed should the final rule take effect. Therefore, pursuant to its authority under 5 U.S.C. § 705, it is hereby **ORDERED** that implementation of the final rule entitled *Imposition of Special Measure Against FBME Bank Ltd., Formerly Known as the Federal Bank of the Middle East Ltd., as a Financial Institution of Primary Money Laundering Concern*, 81 Fed. Reg. 18480 (Mar. 31, 2016), be **STAYED** until further notice from this Court.

CHRISTOPHER R. COOPER
United States District Judge

Date: July 22, 2016