

No. 20-1400

In the
Supreme Court of the United States

MARK ELLIOTT, *et al.*,
Petitioners,

v.

FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR
PUERTO RICO, *et al.*,
Respondents.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

SUPPLEMENTAL BRIEF OF PETITIONERS

PETER C. HEIN
Petitioner
101 Central Park West, 14E
New York, New York 10023
(917) 539-8487
petercheinsr@gmail.com

LAWRENCE B. DVORES
Petitioner
28 Sherbrooke Parkway
Livingston, New Jersey 07039
(973) 535-5000
LDvores@yahoo.com

RAFAEL A. GONZÁLEZ VALIENTE
Counsel of Record
Godreau & González Law, LLC
PO Box 9024176
San Juan, Puerto Rico 00902-4176
(787) 726-0077
rgc@g.glawpr.com
Counsel for Petitioner Elliott

September 2021

SUPPLEMENTAL BRIEF OF PETITIONERS

Petitioners are submitting this supplemental brief pursuant to Rule 15.8 to note that a second case, also scheduled for conference on September 27, 2021, also presents a question of whether a court of appeals may invoke a judge-made doctrine of “equitable mootness” to dismiss, and thus decline to hear the merits of, an appeal of an order confirming a bankruptcy plan, notwithstanding appellants having a statutory right of appeal, the court of appeals having Article III and statutory jurisdiction and the federal courts having a “virtually unflagging” obligation to hear and decide cases within their jurisdiction. *See Hargreaves v. Nuverra Environmental Solutions*, 21-17.

We note in particular the Brief For Professors Of Bankruptcy Law As Amici Curiae supporting petitioner that was filed on August 31, 2021 in No. 21-17.

September 2021 Respectfully Submitted,

RAFAEL A. GONZÁLEZ VALIENTE
Counsel of Record
Godreau & González Law, LLC
PO Box 9024176
San Juan, Puerto Rico 00902-4176
(787) 726-0077
rgv@g-glawpr.com
Counsel for Petitioner Elliott

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