

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

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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,

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