

S.D.N.Y.-W.P.
13-cv-7339
Briccetti, J.
Smith, M.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 24th day of January, two thousand eighteen.

Present:

Pierre N. Leval,
José A. Cabranes,*
Circuit Judges.

Purushottam C. Kalola,

Plaintiff-Appellant,

v.

17-2543

International Business Machines Corporation, et al.,

Defendants-Appellees,

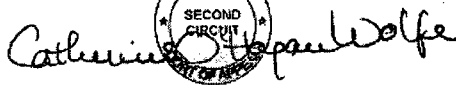
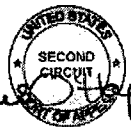
IBM, General Counsel Robert C. Weber, et al.,

Defendants.

Appellant, pro se, moves for appointment of counsel and other relief. Upon due consideration, it is hereby ORDERED that the appeal is DISMISSED because it “lacks an arguable basis either in law or in fact.” *See Pillay v. I.N.S.*, 45 F.3d 14, 17 (2d Cir. 1995). It is further ORDERED that the motions are DENIED.

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court

*Judge Guido Calabresi, originally assigned to the panel, recused himself from consideration of this matter. The two remaining members of the panel, who are in agreement, have decided this case in accordance with Second Circuit Internal Operating Procedure E(b). *See* 28 U.S.C. § 46(d); *cf. United States v. Desimone*, 140 F.3d 457, 458 (2d Cir. 1998).