

# United States Court of Appeals For the First Circuit

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No. 22-1483

JOEL DOUGLAS; STEVEN FOWLER; JAMES LEWIS,

Plaintiffs - Appellants,

v.

DAVID HIRSHON; LOSU LLC,

Defendants - Appellees,

BIRCH POINT STORAGE LLC; SCOTT LALUMIERE; MICHAEL LYDEN; SHAWN LYDEN; RUSSELL OAKES; WAYNE LEWIS; ANDRE BELLUCCI; DAVID JONES; ROBERT BURGESS; ANDROSCOGGIN SAVINGS BANK; BANGOR SAVINGS BANK; CAMDEN NATIONAL BANK; DAVID CLARKE; MILK STREET CAPITAL LLC; MECAP, LLC, d/b/a Milk Street Capital LLC; COASTAL REALTY CAPITAL, LLC, d/b/a Maine Capital Group, LLC; MAINE CAPITAL GROUP, LLC; LH HOUSING, LLC; TTJR, LLC; F.O. BAILEY REAL ESTATE; BLR CAPITAL, LLC; ERIC HOLSAPPLE; MACHIAS SAVINGS BANK; JOHN DOE NUMBER I; JOHN DOE NUMBER II; JOHN DOE NUMBER III; JOHN DOE NUMBER IV,

Defendants.

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Before

Barron, Chief Judge,  
Lynch, Thompson, Gelpí, and Montecalvo,  
Circuit Judges.

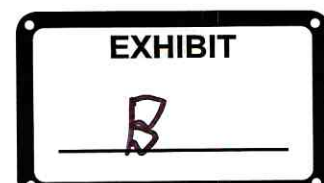
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## ORDER OF COURT

Entered: May 1, 2023

The petition for panel rehearing is denied.

As it appears that there may be no quorum of circuit judges in regular active service who are not recused who may vote on appellant's request for rehearing en banc, the request for rehearing en banc is also denied. See 28 U.S.C. § 46(d); 1st Cir. R. 35.0(a)(1). In any event, a majority of judges in regular active service do not favor en banc review.



By the Court:

Maria R. Hamilton, Clerk

cc:

Robert Clayton Andrews  
Marshall J. Tinkle  
Timothy H. Norton  
Sally A. Morris  
Thimi R Mina  
Alfred Cecil Frawley IV  
John Hayes Branson  
Bernard J. Kubetz  
Daniel Jerome Murphy  
Paul McDonald  
George T. Dilworth  
Jeremy R. Fischer  
Kasia Soon Park  
Jeffrey D. Russell  
Richard P. Olson  
Cameron Goodwin  
Frank Bruce Sleeper