

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-7129

September Term, 2022

FILED ON: DECEMBER 19, 2022

RINAT AKHMETSHIN,
APPELLANT

v.

WILLIAM BROWDER,
APPELLEE

Appeal from the United States District Court
for the District of Columbia
(No. 1:18-cv-01638)

Before: KATSAS, *Circuit Judge*; EDWARDS AND TATEL, *Senior Circuit Judges*

J U D G M E N T

This cause came to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. An opinion and judgment issued on December 29, 2020, *Akhmetshin v. Browder*, 983 F.3d 542 (D.C. Cir. 2020). Appellee filed a petition for rehearing and rehearing en banc on January 12, 2021. Upon consideration of the petition for panel rehearing, and the response thereto, the court certified questions of law to the District of Columbia Court of Appeals, *Akhmetshin v. Browder*, 993 F.3d 922 (D.C. Cir. 2021). The D.C. Court of Appeals issued an opinion on the certified questions of law, *Akhmetshin v. Browder*, 275 A.3d 290 (D.C. 2022), and the parties filed supplemental briefs. On consideration thereof, it is

ORDERED and **ADJUDGED** that the opinion filed December 29, 2020, *Akhmetshin v. Browder*, 983 F.3d 542 (D.C. Cir. 2020), be vacated; the judgment filed December 29, 2020, be vacated; the judgment of the District Court appealed from in this cause, *Akhmetshin v. Browder*, 407 F. Supp. 3d 11 (D.D.C. 2019), be vacated; and the case be remanded to the District Court for further consideration of the entire case in light of the D.C. Court of Appeals' decision in *Akhmetshin v. Browder*, 275 A.3d 290 (D.C. 2022). On remand, the District Court should consider Browder's federal constitutional objections to personal jurisdiction in the first instance before determining whether there is any need for jurisdictional discovery. Once these

determinations have been made, the District Court should then resolve any remaining issues on the merits. It is

FURTHER ORDERED that the petition for panel rehearing be denied.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold the issuance of the mandate herein until seven days after the resolution of any timely petition for rehearing or rehearing en banc. *See* Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk