

[NOT YET SCHEDULED FOR ORAL ARGUMENT]

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

METLIFE, INC.,

Plaintiff-Appellee,

v.

FINANCIAL STABILITY OVERSIGHT  
COUNCIL,

Defendant-Appellant.

No. 16-5086

### STATEMENT OF ISSUES

The Dodd-Frank Act gives the Financial Stability Oversight Council the authority to determine that a “nonbank financial company” shall be supervised by the Federal Reserve and subject to enhanced prudential standards if “material financial distress” at the company “could pose a threat to the financial stability of the United States.” 12 U.S.C. § 5323(a)(1). The issue is whether the Council’s determination that MetLife satisfied this standard was arbitrary and capricious.

Respectfully submitted,

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