

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

November 06, 2017

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 17-41130 State of Nevada, et al v. U.S. Department of  
Labor, et al  
USDC No. 4:16-CV-731  
USDC No. 4:16-CV-732

Enclosed is an order entered in this case.

Your appeal has been placed in abeyance this date pending the outcome of the new rulemaking. Once the case has been removed from abeyance, you will receive notification from this court with any additional instructions.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Christina A. Gardner, Deputy Clerk  
504-310-7684

Mr. Robert Francois Friedman  
Ms. Alisa Beth Klein  
Mr. David Austin Robert Nimocks  
Mr. Michael S. Raab  
Ms. Yona Rozen  
Ms. Julie Shana Saltman  
Mr. Lawrence James VanDyke

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 17-41130

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STATE OF NEVADA; STATE OF TEXAS; STATE OF ALABAMA; STATE OF ARIZONA; STATE OF ARKANSAS; STATE OF GEORGIA; STATE OF INDIANA; STATE OF KANSAS; STATE OF LOUISIANA; STATE OF NEBRASKA; STATE OF OHIO; STATE OF OKLAHOMA; STATE OF SOUTH CAROLINA; STATE OF UTAH; STATE OF WISCONSIN; COMMONWEALTH OF KENTUCKY, by and through Governor Matthew G. Bevin; TERRY E. BRANSTAD, Governor of the State of Iowa; PAUL LEPAGE, Governor of the State of Maine; SUSANA MARTINEZ, Governor of the State of New Mexico; PHIL BRYANT, Governor of the State of Mississippi; ATTORNEY GENERAL BILL SCHUETTE, on behalf of the people of Michigan,

Plaintiffs - Appellees

v.

UNITED STATES DEPARTMENT OF LABOR; R. ALEXANDER ACOSTA, in his official capacity as United States Secretary of Labor; THE WAGE AND HOUR DIVISION OF THE DEPARTMENT OF LABOR; MARY ZIEGLER, in her official capacity as Assistant Administrator for Policy of the Wage and Hour Division; BRYAN JARRETT, in his official capacity as Acting Administrator of the Wage and Hour Division,

Defendants - Appellants

TEXAS AFL-CIO,

Movant - Appellant

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PLANO CHAMBER OF COMMERCE; TEXAS ASSOCIATION OF BUSINESS; ALLEN-FAIRVIEW CHAMBER OF COMMERCE; FRISCO CHAMBER OF COMMERCE; MCKINNEY CHAMBER OF COMMERCE; Et Al,

Plaintiffs- Appellees

v.

R. ALEXANDER ACOSTA, in his official capacity as Secretary of Labor, U.S. Department of Labor; BRYAN JARRETT, in his official capacity as Acting Administrator, Division of Wage and Hour, U.S. Department of Labor; UNITED STATES DEPARTMENT OF LABOR,

Defendants - Appellants

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Appeals from the United States District Court  
for the Eastern District of Texas

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O R D E R :

IT IS ORDERED that the unopposed motion of Appellants, United States Department of Labor, R. Alexander Acosta, the Wage and Hour Division of the Department of Labor, Mary Ziegler, and Bryan Jarrett, to stay this case pending the outcome of the new rulemaking is GRANTED.

/s/Jennifer Walker Elrod  
JENNIFER WALKER ELROD  
UNITED STATES CIRCUIT JUDGE