

No. 21-30037

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

CHAMBLESS ENTERPRISES, L.L.C.;
APARTMENT ASSOCIATION OF LOUISIANA, INCORPORATED,
Plaintiffs – Appellants,

v.

ROCHELLE WALENSKY; SHERRI BERGER;
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
SERVICES; MERRICK GARLAND, U.S. Attorney General; NORRIS
COCHRAN, Acting Secretary, U.S. Department of Health and Human
Services; CENTERS FOR DISEASE CONTROL AND PREVENTION,
Defendants – Appellees.

On Appeal from the United States District Court
for the Western District of Louisiana
Honorable Terry A. Doughty, District Judge

**PLAINTIFFS-APPELLANTS' UNOPPOSED MOTION
TO VOLUNTARILY DISMISS APPEAL**

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Pursuant to Federal Rule of Appellate Procedure 42(b) and Fifth Circuit Rule 42.1, Plaintiffs-Appellants move to dismiss this appeal, with each party to bear its own fees and costs as to the appeal. Plaintiffs-Appellants have conferred with opposing counsel, and the Government consents to this motion.

DATED: September 9, 2021.

Respectfully submitted,

LUKE A. WAKE
STEVEN M. SIMPSON
ETHAN W. BLEVINS
JAMES C. RATHER

s/ Luke A. Wake
LUKE A. WAKE

Counsel for Plaintiffs –Appellants

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2021, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Fifth Circuit by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/ Luke A. Wake
LUKE A. WAKE

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DATED: September 9, 2021.

s/ Luke A. Wake
LUKE A. WAKE

Counsel for Plaintiffs – Appellants