

United States Court of Appeals  
for the Fifth Circuit

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No. 21-40137

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LAUREN TERKEL; PINEYWOODS ARCADIA HOME TEAM,  
LIMITED; LUFKIN CREEKSIDE APARTMENTS, LIMITED; LUFKIN  
CREEKSIDE APARTMENTS II, LIMITED; LAKERIDGE  
APARTMENTS, LIMITED; WEATHERFORD MEADOW VISTA  
APARTMENTS, L.P.; MACDONALD PROPERTY MANAGEMENT,  
L.L.C.,

*Plaintiffs—Appellees,*

*versus*

CENTERS FOR DISEASE CONTROL AND PREVENTION; ROCHELLE  
P. WALENSKY, IN HER OFFICIAL CAPACITY AS DIRECTOR OF THE  
CENTERS FOR DISEASE CONTROL AND PREVENTION; SHERRI A.  
BERGER, IN HER OFFICIAL CAPACITY AS ACTING CHIEF OF  
STAFF FOR THE CENTERS FOR DISEASE CONTROL AND  
PREVENTION; UNITED STATES DEPARTMENT OF HEALTH AND  
HUMAN SERVICES; XAVIER BECERRA, SECRETARY, U.S.  
DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED  
STATES OF AMERICA,

*Defendants—Appellants.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 6:20-CV-564

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ORDER:

IT IS ORDERED that Appellants' opposed motion to dismiss the appeal under Federal Rules of Appellate Procedure 42 is CARRIED WITH THE CASE.

IT IS FURTHER ORDERED that Appellants' opposed motion to remove this case from the October 6, 2021, calendar is DENIED.

LYLE W. CAYCE, CLERK  
United States Court of Appeals  
for the Fifth Circuit  
/s/ Lyle W. Cayce

ENTERED AT THE DIRECTION OF THE COURT

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

September 15, 2021

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 21-40137 Terkel v. Centers for Disease  
USDC No. 6:20-CV-564

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

*Dawn Shulin*

By: \_\_\_\_\_  
Dawn M. Shulin, Deputy Clerk  
504-310-7658

Mr. Michael Philip Aigen  
Mr. Robert Alt  
Ms. Megan Heuberger Berge  
Mr. Jay R. Carson  
Mr. Anthony T. Caso  
Ms. Nicole Leonard Cordoba  
Mr. Eric Gregory Dunn  
Mr. David Brendan Goode  
Mr. Eric L. Hawkins  
Mr. Robert E. Henneke  
Ms. Kimberly S. Hermann  
Ms. Alisa Beth Klein  
Mr. Brian Klosterboer  
Ms. Savannah Kumar  
Mr. Steven Andrew Myers  
Mrs. Celia Howard O'Leary  
Ms. Sandra Park  
Ms. Lanora Christine Pettit  
Ms. Adriana Cecilia Pinon  
Mr. Harvey L. Reiter  
Mr. Chad Michael Ruback  
Mr. John Paul Schnapper-Casteras  
Mr. Alan E. Schoenfeld  
Mr. Ilya Shapiro  
Mr. Martin Jonathan Siegel  
Mr. Brian James Springer  
Mr. Kevin St. George  
Mr. Judd Edward Stone II  
Mr. Aleksandr Sverdlik

Mr. Eliot Fielding Turner  
Ms. Leslie Cooper Vigen  
Mr. Charles R. Watson Jr.  
Ms. Vanisha Weatherspoon  
Mr. Chance Weldon  
Ms. Dayna Zolle