

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

BST Holding, LLC; *et al*,)
)
Petitioners,)
v.)
)
Occupational Safety and Health)
Administration, United States)
Department of Labor,)
)
Respondent.)
_____)

Docket No. 21-60845

Motion to Dismiss

Petitioner, Answers in Genesis, Inc. (hereinafter “AiG”), moves to dismiss AiG’s Petition for Review which was inadvertently filed in this Court.

AiG requests that its Petition for Review be dismissed and that the cost of filing (\$500) be reimbursed.

Dated: November 8, 2021

Respectfully submitted,

Kelly Shackelford

/s/ Jeffrey C. Mateer
Jeffrey C. Mateer
Hiram S. Sasser, III
David J. Hacker
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Counsel for Answers in Genesis, Inc.

CERTIFICATE OF SERVICE

I certify that on November 8, 2021, in accordance with 28 U.S.C. § 2112(a), I will serve a file-stamped copy of AiG's Motion to Dismiss by delivering a file-stamped copy via U.S. mail to the agency designees:

Edmund C. Baird
Associate Solicitor of Labor for
Occupational Safety and Health
United States Department of Labor
Office of the Solicitor
200 Constitution Ave., NW
Francis Perkins Bldg.
Washington, DC 20210

Seema Nanda
Solicitor of Labor
United States Department of Labor
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Thomas T. Hydrick
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

I also delivered copy of the petition to the above on November 8, 2021 by electronic mail.

Dated: November 8, 2021

Respectfully submitted,

/s/ Jeffrey C. Mateer

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