

Nos. 21-7000, 21-4080

**United States Court of Appeals
for the Sixth Circuit**

In re: MCP No. 165; OSHA Rule on COVID-19 Vaccination and
Testing, 86 Fed. Reg. 61, 402

JOINDER IN PETITIONS FOR INITIAL HEARING EN BANC

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Joinder in Petitions for Initial Hearing En Banc

Pursuant to Federal Rule of Appellate Procedure 35 and this Court's Initial Case Management Order, Petitioners Burnett Specialists, Choice Staffing, LLC, Staff Force, Inc., LeadingEdge Personnel Services, Ltd., and HT Staffing, Ltd. Dba HT Group ("Petitioners") join with the Petitions for Initial Hearing *En Banc* previously filed with this Court. *See* 6th Cir. No. 21-7000, Docs. 14 and 26; 6th Cir. No. 21-4027, Doc. 32; 6th Cir. No. 21-4028, Doc. 20; 6th Cir. No. 21-4031, Doc. 44; 6th Cir. No. 21-4033, Doc. 21; 6th Cir. No. 21-4082, Doc. 15; 6th Cir. No. 21-4088, Doc. 15; 6th Cir. No. 21-4090, Doc. 13; 6th Cir. No. 21-4097, Doc. 14. Petitioners respectfully request that this Court grant their motion, filed November 23, 2021, to transfer this matter to the Fifth Circuit. In the alternative, Petitioners respectfully request that this Court grant initial en banc hearing on the petitions for review of OSHA's Emergency Temporary Standard requiring 80 million Americans in private employment to be vaccinated or test for COVID-19.

Dated: November 24, 2021

Respectfully submitted,

By: /s/ Robert Henneke

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CERTIFICATE OF SERVICE

I certify that on November 24, 2021, I caused a copy of this Motion to Transfer to be served on all parties by the Courts CM/ECF system.

/s/ Robert Henneke
Attorney of record for Petitioners

CERTIFICATE OF COMPLIANCE

1. This document complies with the type-volume limit of Fed. R. App. P. 27(d)(2)(A) because, according to the Word Count function, excluding the parts of the document exempted by Fed. R. App. P. 32(f), it contains 156 words.

2. This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it was prepared in Word in a proportionally spaced typeface, using Century Schoolbook 14-point font.

/s/ Robert Henneke
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