

Nos. 21-7000, 21-4096

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. 61402

On Petition for Review of Agency Order

**JOINDER IN OPPOSITION TO RESPONDENTS' MOTION TO AMEND
SCHEDULE FOR STAY BRIEFING AND TO SET SCHEDULE FOR
MERITS BRIEFING**

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Co., and Riverview Manufacturing, Inc.*

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Petitioners MFA, Incorporated, MFA Enterprises, Inc., MFA Oil Company, Missouri Farm Bureau Services, Inc., Missouri Farm Bureau Insurance Brokerage, Inc., Doyle Equipment Manufacturing Co., and Riverview Manufacturing, Inc. ("Agricultural Petitioners") join with the opposition to Respondents' Motion to Amend Schedule for Stay Briefing ("Respondents' Motion"). *See* 6th Circuit No. 21-7000, Doc. 131. On November 26, 2021, twenty-seven states ("States Petitioners") filed an opposition to Respondents' Motion. *See* 6th Circuit No. 21-7000, Doc. 144. On November 29, 2021, The Southern Baptist Theological Seminary, Asbury Theological Seminary, Sioux Falls Catholic Schools d/b/a Bishop O'Gorman Catholic Schools, The King's Academy, Cambridge Christian School, Home School Legal Defense Association, Inc., and Christian Employers Alliance ("Religious Petitioners") filed opposition to Respondents' Motion. *See* 6th Circuit No. 21-7000, Doc. 199. On November 29, 2021, Bentkey Services, LLC D/B/A The Daily Wire filed notice joining Religious Petitioners' Opposition to Respondents' Motion. *See* 6th Circuit No. 21-7000, Doc. 219. On November 29, 2021, Petitioners Burnett Specialists, Choice Staffing, LLC, Staff Force, Inc., and LeadingEdge Personnel Services, Ltd. filed a Joinder in Opposition to Respondents' Motion. *See* 6th Circuit 21-7000, Doc. 216.

As has been previously set forth by the other petitioners in their opposition motions and joinder filings, which arguments are adopted herein, Respondents' proposed schedule is unnecessary, impractical and will not allow for full development of the issues before the Court. Therefore, Agricultural Petitioners respectfully request this Court deny Respondents' Motion to Amend Schedule for Stay Briefing and to Set Schedule for Merits Briefing.

Date: November 30, 2021

Respectfully Submitted,

By: /s/ Cathleen A. Martin
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CERTIFICATE OF COMPLIANCE

1. This document complies with the type-volume limit of Fed. R. App. P. 35(b)(2)(A) because, excluding the parts of the document exempted by FED. R. APP. P. 32(f) and 6th Cir. R. 32(b), this document contains 604 words according to the word count function of Microsoft Word 365.

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 this document has been prepared in a proportionally spaced typeface using Microsoft Word 365 in 14-point Times New Roman font.

/s/ Cathleen A. Martin

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2021, a true and accurate copy of the foregoing motion was electronically filed with the Court using the CM/ECF system. Service on counsel for all parties will be accomplished through the Court's electronic filing system.

/s/ Cathleen A. Martin