

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



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ORDER

November 9, 2021

By the Court:

No. 21-3066	STATE OF INDIANA, Petitioner v. OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION, Respondent
Originating Case Information:	
Agency Case No: OSHA-2021-0007 Occupational Safety & Health Administration	

Upon consideration of the **MOTION FOR STAY OF COVID-19 VACCINATION AND TESTING EMERGENCY TEMPORARY STANDARD PENDING REVIEW**, filed on November 5, 2021, by counsel for the petitioner,

IT IS ORDERED that the motion for a stay is taken under advisement.

IT IS FURTHER ORDERED that respondent shall file a response to the motion for stay on or before 5:00 p.m. on November 12, 2021.

IT IS FINALLY ORDERED that petitioner shall file, on or before November 10, 2021, a statement of its position in light of the Fifth Circuit's decision in *BST Holdings, LLC v. OSHA*, No. 21-60845 (5th Cir. Nov. 6, 2021). Respondent may state its position in its response to the motion.