

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

STATE OF MISSOURI, et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN, et al.

Defendants.

No. 4:21-cv-01300-DDN

**NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendants hereby notify this Court of a decision issued by the United States Court of Appeals for the Sixth Circuit in *In re: MCP No. 165, Occupational Safety and Health Administration, Interim Final Rule: COVID-19 Vaccination and Testing*, No. 21-4027, 2021 WL 5989357 (6th Cir. Dec. 17, 2021). That opinion dissolved the stay issued by the Fifth Circuit in *BST Holdings, LLC v. Occupational Safety & Health Admin.*, No. 21-60845, 2021 WL 5166656 (5th Cir. Nov. 6, 2021). *Id.* at \*19.

DATED: December 20, 2021

Respectfully submitted,

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