

# United States Court of Appeals for the Fifth Circuit

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No. 22-10077

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U.S. NAVY SEALs 1-26; U.S. NAVY SPECIAL WARFARE  
COMBATANT CRAFT CREWMEN 1-5; U.S. NAVY EXPLOSIVE  
ORDNANCE DISPOSAL TECHNICIAN 1; U.S. NAVY DIVERS 1-3,

*Plaintiffs—Appellees,*

*versus*

JOSEPH R. BIDEN, JR., *in his official capacity as President of the United States of America*; LLOYD AUSTIN, *Secretary, U.S. Department of Defense, individually and in his official capacity as United States Secretary of Defense*; UNITED STATES DEPARTMENT OF DEFENSE; CARLOS DEL TORO, *individually and in his official capacity as United States Secretary of the Navy,*

*Defendants—Appellants.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:21-CV-1236

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ORDER:

IT IS ORDERED that Appellees' opposed motion to consolidate this appeal with 22-10534 is GRANTED.

No. 22-10077

IT IS FURTHER ORDERED that Appellees' opposed motion to establish a briefing schedule for the consolidated appeals is GRANTED IN PART. The Clerk's office shall set a briefing schedule for the consolidated cases, AND the parties shall confer and agree on what additional or supplemental briefing is required in the consolidated appeals.

IT IS FURTHER ORDERED that Appellees' opposed motion for an extension of time to file brief is GRANTED to July 15, 2022 as to this appeal 22-10077.

/s/Edith H. Jones

EDITH H. JONES

*United States Circuit Judge*

***United States Court of Appeals***  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

June 07, 2022

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 22-10077 consolidated with 22-10534  
U.S. Navy SEALs 1-26 v. Biden.  
USDC No. 4:21-CV-1236  
USDC No. 4:21-CV-1236

Enclosed is an order entered in this case.

Once the electronic record is filed in 22-10534 the briefing schedule will issue. Counsel should file a joint letter as soon as possible with the agreed proposed schedule as to additional or supplemental briefs in accordance with the order.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Melissa B. Courseault, Deputy Clerk  
504-310-7701

Mr. Michael Berry  
Mr. Justin E. Butterfield  
Ms. Sarah Wendy Carroll  
Ms. Marleigh D. Dover  
Mr. David J. Hacker  
Ms. Heather Gebelin Hacker  
Mr. Jeffrey Carl Mateer  
Mr. Jordan E Pratt  
Ms. Holly Mischelle Randall  
Mr. Franklin D. Rosenblatt  
Mr. Casen Ross  
Mr. Hiram Stanley Sasser III  
Mr. Charles Wylie Scarborough  
Mr. Kelly J. Shackelford  
Mr. Andrew Bowman Stephens  
Mr. Lowell V. Sturgill Jr.