

Nos. 21-7000 (lead), 21-4080, 21-4117

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

IN RE: MCP No. 165, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
RULE ON COVID-19 VACCINATION AND TESTING, 86 FED. REG. 61402

On Petition for Review
from the Occupational Safety and Health Administration

**TWENTY-SIX BUSINESS ASSOCIATION PETITIONERS'
NOTIFICATION OF FILING OF EMERGENCY APPLICATION TO
THE SUPREME COURT OF THE UNITED STATES
FOR IMMEDIATE STAY OF AGENCY ACTION
PENDING DISPOSITION OF PETITION FOR REVIEW**

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NOTIFICATION

The Business Associations identified below today filed in the Supreme Court of the United States an “Emergency Application for Immediate Stay of Agency Action Pending Disposition of Petition for Review.” This Notification includes a copy of the Application.

National Federation of Independent Business*
American Trucking Associations, Inc.*
National Retail Federation*
FMI – The Food Industry Association*
National Association of Convenience Stores*
National Association of Wholesaler-Distributors*
International Warehouse and Logistics Association*
International Foodservice Distributors Association*
National Propane Gas Association†
Brick Industry Association†
American Bakers Association†
Kentucky Petroleum Marketers Association†
Kentucky Trucking Association†
Louisiana Motor Transport Association*
Michigan Association of Convenience Stores†
Michigan Petroleum Association†
Michigan Retailers Association†
Michigan Trucking Association†
Mississippi Trucking Association*
Ohio Grocers Association†
Ohio Trucking Association†
Tennessee Chamber of Commerce and Industry†
Tennessee Grocers and Convenience Store Association†
Tennessee Manufacturers Association†
Tennessee Trucking Association†
Texas Trucking Association*

**Identifies Petitioners who filed a petition for review in the Fifth Circuit on November 11, 2021, in that court's Case No. 21-60845. These Petitioners were transferred to this Court and docketed as parties in Case No. 21-4080. This Court then consolidated that case with No. 21-7000 on November 19, 2021.*

†Identifies Petitioners who filed a petition for review in this Court on November 23, 2021. These Petitioners were docketed as parties in Case No. 21-4117. This Court then consolidated that case with No. 21-7000 on November 24, 2021.

Dated: December 17, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

On December 17, 2021, this Notification was served via CM/ECF on all registered counsel and transmitted to the Clerk of the Court. Counsel further certifies that: (1) any required privacy redactions have been made in compliance with Federal Rule of Appellate Procedure 25(a)(5); and (2) the document has been scanned with the most recent version of a commercial virus scanning program and is free of viruses. No paper copies were filed, per this Court's Rule 25(a)(3).

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