

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16-41606

STATE OF NEVADA; STATE OF TEXAS; STATE OF ALABAMA; STATE OF ARIZONA; STATE OF ARKANSAS; STATE OF GEORGIA; STATE OF INDIANA; STATE OF KANSAS; STATE OF LOUISIANA; STATE OF NEBRASKA; STATE OF OHIO; STATE OF OKLAHOMA; STATE OF SOUTH CAROLINA; STATE OF UTAH; STATE OF WISCONSIN; COMMONWEALTH OF KENTUCKY, by and through Governor Matthew G. Bevin; TERRY E. BRANSTAD, Governor of the State of Iowa; PAUL LEPAGE, Governor of the State of Maine; SUSANA MARTINEZ, Governor of the State of New Mexico; PHIL BRYANT, Governor of the State of Mississippi; ATTORNEY GENERAL BILL SCHUETTE, on behalf of the people of Michigan,

Plaintiffs - Appellees

v.

UNITED STATES DEPARTMENT OF LABOR; THOMAS E. PEREZ, SECRETARY, DEPARTMENT OF LABOR, In his official capacity as United States Secretary of Labor; WAGE AND HOUR DIVISION OF THE DEPARTMENT OF LABOR; MARY ZIEGLER, in her official capacity as Assistant Administrator for Policy of the Wage and Hour Division; DOCTOR DAVID WEIL, in his official capacity as Administrator of the Wage and Hour Division,

Defendants - Appellants

Appeal from the United States District Court for the
Eastern District of Texas, Sherman

O R D E R :

IT IS ORDERED that Appellants' opposed motion to expedite the appeal is GRANTED AS MODIFIED:

- Appellants' opening brief and record excerpts are due on or before December 16, 2016.
- Amicus briefs in support of Appellants are due on or before December 23, 2016.
- Appellees' response brief and record excerpts are due on or before January 17, 2017.
- Amicus briefs in support of Appellees are due on or before January 24, 2017.
- Appellants' reply brief is due on or before January 31, 2017.
- Oral argument will be scheduled by the Clerk of the Court for the first available sitting after the close of briefing.

IT IS FURTHER ORDERED that Appellants' motion for an expedited ruling on the instant motion is GRANTED.

/s/Jennifer Walker Elrod
JENNIFER WALKER ELROD
UNITED STATES CIRCUIT JUDGE