

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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NEW ORLEANS, LA 70130

February 19, 2024

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 22-40316 Coalition v. Su  
USDC No. 1:21-CV-130

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Rebecca L. Leto, Deputy Clerk  
504-310-7703

Mr. Maurice Baskin  
Mr. Joseph Forrest Busa  
Mr. Robert Francois Friedman  
Ms. Alisa Beth Klein  
Mr. Robert Charles Merritt  
Mr. David O'Toole

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

February 19, 2024

Lyle W. Cayce  
Clerk

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No. 22-40316

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COALITION FOR WORKFORCE INNOVATION; ASSOCIATED  
BUILDERS AND CONTRACTORS OF SOUTHEAST TEXAS;  
ASSOCIATED BUILDERS AND CONTRACTORS, INCORPORATED;  
FINANCIAL SERVICES INSTITUTE, INCORPORATED,

*Plaintiffs—Appellees,*

*versus*

JULIE A. SU, *Acting Secretary, U.S. Department of Labor, in his official  
capacity as Secretary of Labor, United States Department of Labor*; JESSICA  
LOOMAN, *in her official capacity as Administrator, Division of Wage and  
Hour*; UNITED STATES DEPARTMENT OF LABOR,

*Defendants—Appellants.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:21-CV-130

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UNPUBLISHED ORDER

Before ELROD, HAYNES, and DOUGLAS, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that Appellees' opposed motion to lift the stay of  
proceedings in this court is GRANTED.

IT IS FURTHER ORDERED that Appellants' opposed motion to vacate the decision of the district court is GRANTED; the district court's decision is MOOT.

IT IS FURTHER ORDERED that Appellees' opposed motion to remand case to the United States District Court for the Eastern District of Texas, Beaumont Division is GRANTED to allow the Plaintiffs to file an amended complaint.