

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

CHAMBER OF COMMERCE OF THE  
UNITED STATES OF AMERICA,  
FINANCIAL SERVICES INSTITUTE, INC.,  
FINANCIAL SERVICES ROUNDTABLE,  
GREATER IRVING-LAS COLINAS  
CHAMBER OF COMMERCE, HUMBLE  
AREA CHAMBER OF COMMERCE DBA  
LAKE HOUSTON AREA CHAMBER OF  
COMMERCE, INSURED RETIREMENT  
INSTITUTE, LUBBOCK CHAMBER OF  
COMMERCE, SECURITIES INDUSTRY  
AND FINANCIAL MARKETS  
ASSOCIATION, and  
TEXAS ASSOCIATION OF BUSINESS,

Plaintiffs,

v.

EDWARD C. HUGLER, SECRETARY OF  
LABOR,  
and  
UNITED STATES  
DEPARTMENT OF LABOR,

Defendants.

Civil Action No. 3:16-cv-1476-M  
Consolidated with:

3:16-cv-1530-C

3:16-cv-1537-N

**CHAMBER OF COMMERCE PLAINTIFFS' MOTION FOR AN INJUNCTION**  
**PENDING APPEAL**

Pursuant to Federal Rule of Civil Procedure 62(c), Plaintiffs the Chamber of Commerce of the United States of America; the Financial Services Institute, Inc.; the Financial Services Roundtable; the Greater Irving-Las Colinas Chamber of Commerce; the Humble Area Chamber of Commerce d/b/a the Lake Houston Area Chamber of Commerce; the Insured Retirement Institute; the Lubbock Chamber of Commerce; the Securities Industry and Financial Markets Association; and the Texas Association of Business (collectively, "Plaintiffs") respectfully

request that this Court enter an injunction staying the April 10, 2017 “applicability date” of the Defendant Department of Labor’s “Fiduciary Rule,” *see* AR 1, pending appellate review of this Court’s February 8, 2017 Memorandum and Order, ECF No. 137, and the Court’s February 9, 2017 Judgment, ECF No. 139.

The Court should grant Plaintiffs’ motion for the reasons stated in their accompanying memorandum in support of the motion. Plaintiffs incorporate by reference the arguments made in their memorandum supporting their motion for summary judgment, ECF No. 61, their reply brief, ECF No. 109, and at oral argument.

**Because of their urgent need for relief, Plaintiffs respectfully ask the Court to issue a ruling on the motion by March 20, 2017.**

A proposed order is attached to this filing, along with Plaintiffs’ memorandum in support of this motion and an appendix thereto.

Respectfully submitted,

Dated: March 10, 2017

s/ Eugene Scalia

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**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that on March 9, 2017, I conferred with counsel for Defendants, Galen N. Thorp. Defendants' counsel communicated that the government intends to oppose, pending review of the motion. The undersigned further certifies that on March 9, 2017, I conferred with counsel for Co-Plaintiffs, Joseph Guerra and Kelly Dunbar. Co-Plaintiffs' counsel communicated that they concur in the relief requested.

s/ Jason J. Mendro \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 10, 2017, the foregoing document was electronically submitted with the clerk of the court for the United States District Court, Northern District of Texas, using the electronic case file system of the court. I hereby certify that I have served all counsel of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

s/ Eugene Scalia \_\_\_\_\_