

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

STATE OF NEVADA, et al.,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT
OF LABOR, et al.,

Defendants-Appellants.

No. 16-41606

**JOINT MOTION TO CONTINUE
ORAL ARGUMENT AND HOLD
APPEAL IN ABEYANCE**

This past Thursday, August 24, 2017, this Court issued a notice calendaring argument in this appeal for October 3, 2017. The parties to this appeal have been engaged in ongoing discussions on how to narrow the scope of their dispute and potentially eliminate the need for this interlocutory appeal. The parties therefore jointly request that the Court remove the oral argument currently scheduled on October 3, and hold this interlocutory appeal in abeyance pending further discussions by the parties. The parties have agreed that, if the relief requested is granted, the parties will file a joint status report with the Court within 90 days of the Court's order continuing the argument and holding the appeal in abeyance, or whatever timeframe the Court orders. The *Amici Curiae* Business Associations, who have recently moved for divided and enlarged argument, are in agreement with this motion.

Based upon the foregoing, the parties respectfully request that the Court remove the currently scheduled oral argument from the October 3, 2017 sitting and hold the case in abeyance pending further discussions by the parties in an attempt to narrow the dispute and potentially eliminate the need for this appeal.

Respectfully submitted,

Dated: August 31, 2017.

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2017, I filed the foregoing electronically with the Clerk of the Fifth Circuit Court of Appeals through the CM/ECF system, which caused the all counsel of record to be served by electronic means.

/s/ Sandra L. Geyer