

FILED

May 6, 2024

KAREN MITCHELL
CLERK, U.S. DISTRICT
COURT

**United States Court of Appeals
for the Fifth Circuit**

United States Court of Appeals
Fifth Circuit

FILED

May 3, 2024

Lyle W. Cayce
Clerk

No. 24-10266

IN RE FORT WORTH CHAMBER OF COMMERCE; LONGVIEW
CHAMBER OF COMMERCE; AMERICAN BANKERS ASSOCIATION;
CONSUMER BANKERS ASSOCIATION; TEXAS ASSOCIATION OF
BUSINESS; CHAMBER OF COMMERCE FOR THE UNITED STATES
OF AMERICA,

Petitioners.

Petition from the United States District Court
for the Northern District of Texas
USDC No. 4:24-CV-213

ON PETITION FOR REHEARING

Before HIGGINSON, WILLET, and OLDHAM, *Circuit Judges*.

PER CURIAM:

The petition for panel rehearing is DENIED.* Our prior opinion, *In re Fort Worth Chamber of Com.*, 98 F.4th 265 (5th Cir. 2024), is withdrawn, and a substituted opinion is being issued simultaneously.

* JUDGE HIGGINSON: “I would grant the panel rehearing based both on the manufactured nature of Petitioners’ urgency—stemming from a desire to take voluntary actions not required by or implicated by the Rule—and the unworkability, more broadly, of finding effective denial here.” *See In re Fort Worth Chamber of Com.*, ___ F.4th ___ (5th Cir. May 1, 2024) (Higginson, J., dissenting).

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

May 03, 2024

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 24-10266 In re: Chamber of Commerce
USDC No. 4:24-CV-213

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

Christina Rachal

By: _____
Christina C. Rachal, Deputy Clerk
504-310-7651

Ms. Jennifer B. Dickey
Mr. Andrew Doersam
Ms. Stephanie Garlock
Ms. Karen S. Mitchell
Ms. Maria Monaghan
Ms. Tara S. Morrissey
Mr. Michael F. Murray
Mr. Thomas Pinder
Mr. Justin Michael Sandberg
Mr. Tor Tarantola
Mr. Philip Avery Vickers