

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. CIV-21-1069-G
)	
JOSEPH R. BIDEN, JR., in his)	
official capacity as President of the)	
United States, et al.,)	
)	
Defendants.)	

ORDER

On September 8, 2022, Plaintiffs notified the Court regarding the recent decision of the United States Court of Appeals for the Eleventh Circuit in *Georgia v. President of the United States*, __ F.4th __, 2022 WL 3703822 (11th Cir. Aug. 26, 2022), in which the Eleventh Circuit affirmed the preliminary injunction issued by the United States District Court for the Southern District of Georgia, enjoining enforcement of Executive Order 14042, but vacated the nationwide scope of the preliminary injunction. Plaintiffs argue in their Notice that the Eleventh Circuit’s vacation of the nationwide injunction renders the pending Motion for Preliminary Injunction in this litigation ripe for determination. *See* Notice (Doc. No. 46) at 3.

The Court further takes notice that the Safer Federal Workforce Task Force,¹ a Defendant in this action and the federal task force mandated to provide guidance under

¹ On January 20, 2021, President Biden signed Executive Order 13991, establishing the Safer Federal Workforce Task Force.

Executive Order 14042 regarding COVID-19 safeguards for federal contractors, published the following statement on its website, which remains as of the date of this Order:

Regarding Applicable Court Orders and Injunctions: To ensure compliance with an applicable preliminary nationwide injunction, which may be supplemented, modified, or vacated, depending on the course of ongoing litigation, the Federal Government will take no action to implement or enforce Executive Order 14042. For existing contracts or contract-like instruments (hereinafter “contracts”) that contain a clause implementing requirements of Executive Order 14042, the Government will take no action to enforce the clause implementing requirements of Executive Order 14042, absent further written notice from the agency.

Safer Federal Workforce, <https://www.saferfederalworkforce.gov/contractors/> (last visited Sept. 12, 2022).

Accordingly, the Court ORDERS Defendants to submit a written status report on or before September 16, 2022, advising the Court as to (a) Defendants’ position regarding the status of this litigation, (b) whether the Federal Government intends to take any further action to implement or enforce Executive Order 14042, whether by written notice or otherwise, (c) the specific timing for any such action, if applicable, and (d) any other information Defendants deem pertinent to the Court’s consideration of Plaintiffs’ pending Motion for Preliminary Injunction.

IT IS SO ORDERED this 12th day of September, 2022.



CHARLES B. GOODWIN
United States District Judge