

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

| | | |
|--------------------------------------|---|-------------------|
| AIR FORCE OFFICER, |) | |
| |) | |
| Plaintiff-Appellee, |) | Case No. 22-11200 |
| v. |) | |
| |) | |
| LLOYD J. AUSTIN, III, et al., |) | |
| |) | |
| Defendants-Appellees. |) | |

FEBRUARY 2023 STATUS REPORT

Pursuant to the Court’s August 24, 2022 Order, the parties hereby jointly provide this status update:

- On February 13, 2023, the government filed a petition for panel rehearing or rehearing en banc in *Doster v. Kendall*, Nos. 22-3497, 22-3702 (6th Cir.).
- Following the Secretary of Defense’s January 10, 2023 memorandum, Exhibit A of ECF No. 33, the Secretary of the Air Force issued a memorandum to the Department of the Air Force Commanders. *See* Secretary of the Air Force, *Memorandum re: Rescission of 3 September 2021 Mandatory Coronavirus Disease 2019 Vaccination of Department of the Air Force Military Members and 7 December 2021 Supplemental Coronavirus Disease 2019 Vaccination Policy Memoranda* (Jan. 23, 2023), <https://perma.cc/2U58-CFUZ>.

Dated: February 14, 2023

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