

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

APR 5 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

KRISTIN K. MAYES, Attorney General; et
al.,

Plaintiffs-Appellees,

v.

JOSEPH R. BIDEN, in his official capacity
as President of the United States; et al.,

Defendants-Appellants,

ARIZONA CHAMBER OF COMMERCE &
INDUSTRY; FIFTY-SIXTH ARIZONA
LEGISLATURE,

Intervenors.

No. 22-15518

D.C. No. 2:21-cv-01568-MTL
District of Arizona,
Phoenix

ORDER

Before: CLIFTON, BENNETT, and DESAI, Circuit Judges.

The panel has voted to stay the district court’s injunction pending resolution of this appeal. The district court had issued a permanent injunction enjoining all Defendants except the City of Phoenix and President Joseph Biden from enforcing a COVID-19 vaccination requirement for federal contractors and subcontractors pursuant to Executive Order 14,042 in any contract that either involved a party domiciled or headquartered in Arizona and/or was performed “principally” in Arizona. *Mayes et al. v. Biden et al.*, 2:21-cv-01568-MTL, ECF No. 165, at 1–2

(Feb. 10, 2022). The injunction further enjoined all Defendants except the City of Phoenix and President Joseph Biden from denying government contracts to contractors domiciled in or headquartered in the State of Arizona based on their refusal to agree to the inclusion of a vaccination requirement. *Id.* at 2.

This stay of the district court's injunction pending appeal is issued pursuant to Fed. R. Civ. P. 62(g) and shall remain in place until we issue an opinion on the merits of this appeal.