

[ORAL ARGUMENT NOT SCHEDULED]

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

ADVOCATES FOR HIGHWAY AND AUTO
SAFETY, et al.,

Petitioners,

v.

FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION, et al.,

Respondents.

No. 20-1370

UNOPPOSED MOTION TO HOLD APPEAL IN ABEYANCE

This appeal involves a final rule titled “Hours of Service of Drivers” promulgated by the Federal Motor Carrier Safety Administration (FMCSA). No party has yet filed a brief in this appeal, and the Court has not yet scheduled oral argument in this appeal.

Due to the recent change in administration on January 20, 2021, there is new FMCSA leadership. To allow the new agency officials sufficient time to become familiar with the issues and determine how they wish to proceed, respondents respectfully move to place this appeal in abeyance for 60 days. Counsel for respondents has conferred with counsel for petitioners, who indicated that petitioners

consent to this motion. Counsel for respondents has also conferred with counsel for intervenor, who indicated that intervenor consents to this motion.

Respectfully submitted,

ABBY C. WRIGHT

/s/ Brian J. Springer

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CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 134 words. This motion also complies with the typeface and type-style requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(5)-(6) because it was prepared using Microsoft Word 2016 in Garamond 14-point font, a proportionally spaced typeface.

/s/ Brian J. Springer
Brian J. Springer

CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2021, I filed and served the foregoing with the Clerk of the Court by using the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

/s/ Brian J. Springer
Brian J. Springer