

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 21-5093****September Term, 2020****1:20-cv-03377-DLF****Filed On: August 20, 2021**

Alabama Association of Realtors, et al.,

Appellees

v.

United States Department of Health and  
Human Services, et al.,

Appellants

**BEFORE:** Pillard, Rao, and Jackson, Circuit Judges**ORDER**

Upon consideration of the emergency motion to vacate stay pending appeal and for immediate administrative vacatur, the opposition thereto, and the reply, it is

**ORDERED** that the motion to vacate the stay be denied. On June 2, 2021, this court denied a previous motion to vacate the stay imposed by the district court. See Alabama Ass'n of Realtors v. United States Dep't of Health & Hum. Servs., No. 21-5093, 2021 WL 2221646 (D.C. Cir. June 2, 2021); see generally *Nken v. Holder*, 556 U.S. 418, 434 (2009). The district court has since denied plaintiffs' emergency motion to vacate the stay pending appeal. In view of that decision and on the record before us, we likewise deny the emergency motion directed to this court.

**Per Curiam****FOR THE COURT:**  
Mark J. Langer, ClerkBY: /s/  
Manuel J. Castro  
Deputy Clerk