

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 21-13340-DD

BIDI VAPOR LLC,

Petitioner,

versus

U.S. FOOD AND DRUG ADMINISTRATION,
ACTING COMMISSIONER OF U.S. FOOD AND
DRUG ADMINISTRATION,
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondents.

No. 21-13387-JJ

DIAMOND VAPOR LLC,

Petitioner,

versus

U.S. FOOD AND DRUG ADMINISTRATION,

Respondent.

No. 21-13438-JJ

JOHNNY COPPER, L.L.C.,

Petitioner,

versus

U.S. FOOD AND DRUG ADMINISTRATION,

Respondent.

No. 21-13454-HH

VAPOR UNLIMITED LLC,

Petitioner,

versus

U.S. FOOD AND DRUG ADMINISTRATION,

Respondent.

No. 21-13521-DD

UNION STREET BRANDS L.L.C.,

Petitioner,

versus

U.S. FOOD AND DRUG ADMINISTRATION,

Respondent.

No. 21-13523-DD

VAPORNINE L.L.C.,
d.b.a. New Leaf Vapor Company,

Petitioner,

versus

U.S. FOOD AND DRUG ADMINISTRATION,

Respondent.

No. 21-13522-BB

POP VAPOR CO. LLC,

Petitioner,

versus

U.S. FOOD AND DRUG ADMINISTRATION,

Respondent.

Petitions for Review of Decisions of the
U.S. Food and Drug Administration

Before: JILL PRYOR, LUCK, and LAGOA, Circuit Judges.

BY THE COURT:

The motions filed by Petitioner Bidi Vapor LLC, in Case No. 21-13340, and Petitioners Diamond Vapor L.L.C., Johnny Copper L.L.C., and Vapor Unlimited LLC, in Case Nos. 21-13387, 21-13438, and 21-13454, to stay enforcement of final marketing decisions of the U.S. Food and Drug Administration pending the resolution of their petitions for review are GRANTED.¹

¹ Judge Jill Pryor dissents and would deny the motion to stay enforcement.

The motion by American Academy of Family Physicians, American Academy of Pediatrics, American Cancer Society Cancer Action Network, American Heart Association, American Lung Association, American Medical Association, Campaign for Tobacco-Free Kids, Medical Association of Georgia, Parents Against Vaping e-cigarettes, and Truth Initiative for leave to file a response as *amici curiae* to the motion for a stay filed in Case No. 21-13340 is GRANTED.

On its own motion, this Court DIRECTS the Clerk's Office to schedule Case Nos. 21-13340, 21-13387, 21-13438, 21-13454, 21-13521, 21-13523, and 21-13522 for oral argument on the same day on the next available oral argument calendar.