

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 28th day of February, two thousand twenty-two.

Before: Guido Calabresi,
Susan L. Carney,
Beth Robinson,
Circuit Judges.

Everytown for Gun Safety Support Fund, City of Syracuse, NY,
City of San Jose, CA, City of Chicago, IL, City of Columbia, SC,
Everytown for Gun Safety Action Fund,

Plaintiffs-Appellees,

v.

Zachary Fort, Frederick Barton, Blackhawk Manufacturing Group,
Inc., Firearms Policy Coalition, Inc.,

Intervenors-Appellants,

Bureau of Alcohol, Tobacco, Firearms and Explosives, Marvin
Richardson, in his official capacity as Acting Director of the
Bureau of Alcohol, Tobacco, Firearms, and Explosives, United
States Department of Justice, Merrick B. Garland, in his official
capacity as Attorney General, U.S. Department of Justice,

Defendants.

ORDER

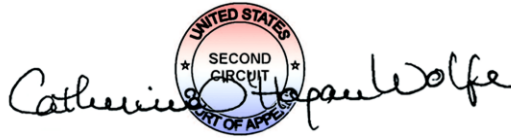
21-191

The parties are hereby advised that consideration of this appeal will be held in abeyance pending the Supreme Court's issuance of its decision in *Berger v. North Carolina State Conference of the NAACP* (U.S. No. 21-248). It is ORDERED that, no later than fourteen days after issuance of that decision, each party shall submit to this court a letter brief, not to exceed ten pages double-spaced, addressing the effect, if any, that the *Berger* decision has on this appeal. It is further ORDERED that, within five days of either of the following developments, the parties shall jointly apprise this court of (1) the issuance of a final rule by Defendant Bureau of Alcohol, Tobacco,

Firearms and Explosives, related to the rule challenged in the underlying dispute; or (2) any decision by the district court to extend or to end the stay previously entered by it in this case.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

The image shows a handwritten signature in black ink that reads "Catherine O'Hagan Wolfe". The signature is written over a circular official seal. The seal is divided into two horizontal sections: the top half is pink and contains the text "UNITED STATES" in a semi-circle at the top and "SECOND CIRCUIT" in the center; the bottom half is blue and contains the text "COURT OF APPEALS" in a semi-circle at the bottom. Two small stars are positioned on either side of the "SECOND CIRCUIT" text.