

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



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ORDER

November 4, 2021

By the Court:

No. 21-2840	GRIPUM LLC, Petitioner v. U.S. FOOD AND DRUG ADMINISTRATION, Respondent
Originating Case Information:	
Agency Case No: PM0001689 Food & Drug Administration	

The following are before the court:

1. **EMERGENCY MOTION FOR A STAY OF PENDING REVIEW**, filed on October 17, 2021, by counsel for the petitioner.
2. **OPPOSITION TO PETITIONER'S MOTION FOR STAY**, filed on October 26, 2021, by counsel for the respondent.
3. **REPLY IN SUPPORT OF MOTION FOR STAY PENDING REVIEW**, filed on October 27, 2021, by counsel for the petitioner.
4. **BRIEF OF AMICI CURIAE IN SUPPORT OF RESPONDENT'S OPPOSITION FOR STAY PENDING REVIEW**, filed on October 27, 2021, by counsel.

IT IS ORDERED that the motion to stay is **GRANTED**. The U.S. Food and Drug Administration's marketing denial order prohibiting Gripum, LLC, from introducing or delivering its products into interstate commerce is **STAYED** pending resolution of this appeal.

IT IS FURTHER ORDERED that the court will proceed with the usual briefing schedule. Extensions of time for briefing in this matter will require either agreement of the opposing party or a showing of extraordinary and unforeseeable circumstances. Briefing will proceed as follows:

1. The brief and required short appendix of the petitioner is due by December 6, 2021.
2. The brief of the respondent is due by January 5, 2022.
3. The reply brief of the petitioner, if any, is due by January 26, 2022.

Important Scheduling Notice !

Hearing notices are mailed shortly before the date of oral argument. Criminal appeals are scheduled shortly after the filing of the appellant's main brief; civil appeals are scheduled after the filing of the appellee's brief. If you foresee that you will be unavailable during a period in which your appeal might be scheduled, please write the clerk advising him of the time period and the reason for your unavailability. The court's calendar is located at <http://www.ca7.uscourts.gov/cal/argcalendar.pdf>. Once an appeal has been scheduled for oral argument, it is very difficult to have the date changed. See Cir. R. 34(e).

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