

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

TEXAS INTERNATIONAL PRODUCE
ASSOCIATION, *et al.*,

Plaintiffs,

V.

No. 7:26-cv-208-DBT

OCCUPATIONAL SAFETY AND
HEALTH ADMINISTRATION, *et al.*,

Defendants.

JOINT MOTION TO SCHEDULE ORAL ARGUMENT

1. Plaintiffs Texas International Produce Association and Texas Vegetable Association and Defendants Occupational Safety and Health Administration, the United States Department of Labor, Keith E. Sonderling (in his official capacity as Acting Secretary of Labor),¹ and David Keeling (in his official capacity as Assistant Secretary of Labor for Occupational Safety and Health) respectfully request that the Court schedule oral argument on the pending dispositive motions in this case.

2. Pursuant to the Court's May 19, 2026, scheduling order, ECF 40, Defendants filed their reply brief on June 26, 2026, and the parties' cross-motions are now fully briefed and ripe for resolution. This case involves the important question of a constitutional challenge to the Occupational Safety and Health Administration. The parties respectfully submit that in-person oral argument will materially assist the Court's deliberations in this case, as it will give both parties the opportunity to

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Acting Secretary of Labor Keith E. Sonderling is automatically substituted for former Secretary Lori Chavez-DeRemer as a Defendant in this action. The parties respectfully request that the Court update the case caption accordingly.

present their views and address any questions the Court might have regarding their respective cross-motions.

3. Accordingly, the parties respectfully move for in-person oral argument on their pending cross-motions at a date and time convenient to the Court in either McAllen or Houston, Texas.

Dated: July 1, 2026

Respectfully submitted,

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