

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
GREATER WACO CHAMBER OF
COMMERCE, LONGVIEW CHAMBER
OF COMMERCE, NATIONAL
ASSOCIATION OF CHEMICAL
DISTRIBUTORS D/B/A ALLIANCE FOR
CHEMICAL DISTRIBUTION,
ASSOCIATED BUILDERS AND
CONTRACTORS, INC., ASSOCIATED
GENERAL CONTRACTORS OF
AMERICA, INTERNATIONAL
FRANCHISE ASSOCIATION INC.,
INTERNATIONAL WAREHOUSE
LOGISTICS ASSOCIATION,
NATIONAL ASSOCIATION OF
MANUFACTURERS, NATIONAL
ASSOCIATION OF WHOLESALE-
DISTRIBUTORS, NATIONAL
FEDERATION OF INDEPENDENT
BUSINESS, INC., NATIONAL RETAIL
FEDERATION,

Plaintiffs,

v.

OCCUPATIONAL SAFETY AND
HEALTH ADMINISTRATION, UNITED
STATES DEPARTMENT OF LABOR,
KEITH E. SONDERLING, in his official
capacity as Acting Secretary of Labor,
and DAVID KEELING, in his official
capacity as Assistant Secretary of Labor
for Occupational Safety and Health,

Defendants.

No. 6:24-cv-00271

**JOINT MOTION TO ENTER
AMENDED SCHEDULING
ORDER**

On May 19, 2026, this Court directed the parties to file a proposed amended scheduling order. In response, pursuant to Federal Rule of Civil Procedure 7(b) and Local Civil Rule 7, the parties respectfully submit this motion and the attached proposed scheduling order, and request that the court resolve the pending cross-motions for summary judgment on the briefs without oral argument.

This case has now been pending for over two years, and the parties have filed cross-motions for summary judgment that have been fully briefed since October 2, 2024. *See* Dkt. 31 (Plaintiffs' Motion for Summary Judgment); Dkt. 39 (Defendants' Motion to Dismiss for Lack of Jurisdiction or, in the Alternative, for Summary Judgment and Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment); Dkt. 46 (Plaintiffs' Reply to Response to Motion); Dkt. 49 (Defendants' Reply to Response to Motion).

The parties have conferred and are in agreement that the arguments on both sides are thoroughly covered in the briefing, and that oral argument is not necessary to resolve the pending motions. The parties thus respectfully submit that expeditious resolution without oral argument would be appropriate.

A proposed order accompanies this motion.

Dated: June 4, 2026

/s/ Jason Altabet

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Respectfully submitted,

/s/ Anthony J. Dick

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CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2026, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all attorneys of record by operation of the Court's electronic filing system.

/s/ Anthony J. Dick
Anthony J. Dick