

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 28 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MY VAPE ORDER, INC.,

Petitioner,

v.

U.S. FOOD & DRUG ADMINISTRATION,

Respondent.

No. 21-71302

Food & Drug Administration

ORDER

Before: W. FLETCHER and BYBEE, Circuit Judges.

Petitioner's opposed emergency motion for a stay pending review (Docket Entry No. 11) is denied. *See Nken v. Holder*, 556 U.S. 418 (2009).

The unopposed request for an expedited briefing schedule (included in Docket Entry No. 11) is granted.

The opening brief is due November 15, 2021; the answering brief is due December 15, 2021; the optional reply brief is due within 21 days after service of the answering brief.