

# United States Court of Appeals For the First Circuit

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No. 21-1873

DISTRICT 4 LODGE OF THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND  
AEROSPACE WORKERS LOCAL LODGE 207; DAMON FAMILY LOBSTER COMPANY,  
INC.; FOX ISLAND LOBSTER COMPANY, LLC; FRANK THOMPSON,

Plaintiffs, Appellees,

v.

GINA M. RAIMONDO, in her official capacity as Secretary of the United States Department of  
Commerce; JANET COIT, in her official capacity as Assistant Administrator of the NOAA  
Fisheries; NATIONAL MARINE FISHERIES SERVICE,

Defendants, Appellants.

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No. 21-1874

DISTRICT 4 LODGE OF THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND  
AEROSPACE WORKERS LOCAL LODGE 207; DAMON FAMILY LOBSTER COMPANY,  
INC.; FOX ISLAND LOBSTER COMPANY, LLC; FRANK THOMPSON,

Plaintiffs, Appellees.

v.

CENTER FOR BIOLOGICAL DIVERSITY; CONSERVATION LAW FOUNDATION, INC.;  
DEFENDERS OF WILDLIFE,

Intervenor-Defendants, Appellants.

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Before  
Kayatta, Barron, and Gelpí,  
Circuit Judges.

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**ORDER OF COURT**  
**Entered: November 16, 2021**

In accordance with the opinion of even date, Gina M. Raimondo, Janet Coit, and the National Marine Fisheries Service's motion for a stay pending appeal is granted, and the parallel motion of the Center for Biological Diversity, Conservation Law Foundation, Inc. and Defenders of Wildlife is denied as moot.

While retaining jurisdiction over the appeal of the preliminary injunction on the merits, the matter is remanded to the district court to resolve, if necessary, any disputes concerning the prompt removal of the banned gear from the LMA-1 restricted area.

By the Court:

Maria R. Hamilton, Clerk

cc: Hon. Lance E. Walker, Christa Berry, Clerk, United States District Court for the District of Maine, Emily Green, Kristen Monsell, Erica Fuller, Jane Davenport, Andrew Christopher Mergen, John G. Osborn, Julia M. Lipez, Alison C. Finnegan, Erika Kranz, Taylor A. Mayhall, John Brett Grosko, Kip Joseph Adams, Jane Charlotte Luxton, Mary Anne Mason, Ryan P. Steen, Paula D. Silsby, Thimi R Mina, Jay P. McCloskey, Alfred Cecil Frawley IV, George T. Dilworth