

United States Court of Appeals For the First Circuit

No. 21-1886

RELENTLESS INC.; HUNTRESS INC.; SEAFREEZE FLEET LLC,

Plaintiffs - Appellants,

v.

US DEPARTMENT OF COMMERCE; GINA M. RAIMONDO, in her official capacity as Secretary of Commerce; NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION; RICHARD SPINRAD, in his official capacity as Administrator of NOAA; NATIONAL MARINE FISHERIES SERVICE, a/k/a NOAA Fisheries; JANET COIT, in her official capacity as Assistant Administrator for NOAA Fisheries,

Defendants - Appellees.

Before
Kayatta, Lipez, and Thompson,
Circuit Judges.

JUDGMENT

Entered: July 31, 2024

In light of the United States Supreme Court's order entered in Loper Bright Enters. v. Raimondo and Relentless, Inc. et al. v. Department of Commerce, 144 S.Ct. 2244 (2024), the mandate issued by this court on May 9, 2023 is recalled, the opinion and judgment issued on March 16, 2023 are vacated, the district court's judgment is vacated, and the matter is remanded to the district court for consideration.

By the Court:

Maria R. Hamilton, Clerk

cc:

Hon. William E. Smith
Hanorah Tyer-Witek, Clerk, United States District Court for the District of Rhode Island
Timothy J. Robenhymer
John Julian Vecchione
Lauren S. Zurier
Dina Bernick Mishra