

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 19 2023

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

HEALTH FREEDOM DEFENSE FUND,
INC., a Wyoming Not-for-Profit
Corporation; et al.,

Plaintiffs-Appellants,

v.

ALBERTO CARVALHO, in his official
capacity as Superintendent of the Los
Angeles United School District; et al.,

Defendants-Appellees.

No. 22-55908

D.C. No.

2:21-cv-08688-DSF-PVC

Central District of California,
Los Angeles

ORDER

Before: HAWKINS, R. NELSON, and COLLINS, Circuit Judges.

In their October 4, 2023, response to Appellants' request for judicial notice, Appellees argued that the Los Angeles Unified School District's recent rescission of its vaccine mandate renders this case moot, and Appellees asked the court to dismiss the appeal accordingly.

Appellees shall file a separate motion to dismiss in accordance with Rule 27, Federal Rules of Appellate Procedure, no later than Monday, October 30, 2023. In its motion, Appellees should address whether the voluntary cessation exception to the mootness doctrine applies. *See Trinity Lutheran Church v. Comer*, 582 U.S. 449, 457 n.1 (2017).

Pursuant to Federal Rule of Appellate Procedure 27(a), Appellants shall file a response within ten (10) days of service of any motion to dismiss, and Appellees may file an optional reply within seven (7) days of service of the response.

The form and length of the motion, response, and reply are governed by Ninth Circuit Rule 27-1.