No. 24-10367

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

TEXAS BANKERS ASSOCIATION, et al.,

Plaintiffs-Appellees,

v.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, et al.,

Defendants-Appellants

MOTION TO
VOLUNTARILY DISMISS APPEAL IN PART

Appellants the Office of the Comptroller of the Currency and the Comptroller of the Currency (collectively, the "OCC") and the Federal Deposit Insurance Corporation and its Chairman (collectively, the "FDIC") respectfully move to voluntarily dismiss this appeal as it pertains to the OCC and FDIC with each party to bear their own respective costs and fees. The OCC and FDIC no longer wish to pursue this appeal, which seeks review of the district court's memorandum opinion and order granting Appellees' motion for a preliminary injunction. *See Tex. Bankers Ass'n v. Off. of the Comptroller*, 728 F. Supp. 3d 412, 416 (N.D. Tex. 2024). Appellants the Board of Governors of the Federal Reserve System and its Chairman (collectively, the "Federal Reserve") do not join in this motion.

Appellees, through counsel, have informed the OCC and FDIC that they take no position with respect to the relief sought by this motion. The Federal Reserve, through counsel, has informed the OCC and FDIC that it takes no position with respect to the relief sought by this motion.

* * *

WHEREFORE, the OCC and FDIC respectfully request that the Court dismiss this appeal as it pertains to the OCC and FDIC with each party to bear their own respective costs and fees.

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CERTIFICATE OF COMPLIANCE

The foregoing complies with Federal Rule of Appellate Procedure 27(d), in that it contains 209 words (excluding the caption, title, signature blocks, and certificates of counsel as discussed in Federal Rules of Appellate Procedure 32(f)), is in fourteen-point font, and utilizes Times New Roman.

/s/ *Peter C. Koch*
Peter C. Koch

CERTIFICATE OF SERVICE

This same date the foregoing was served on all parties to this appeal through the Court's CM/ECF system.

/s/ *Peter C. Koch*
Peter C. Koch