



United States Court of Appeals for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

December 19, 2023

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Attest: *Lyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit

No. 23-60255

Lyle W. Cayce
Clerk

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA;
LONGVIEW CHAMBER OF COMMERCE; TEXAS ASSOCIATION OF
BUSINESS,

Petitioners,

versus

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

Respondent.

Petition for Review from an Order of
the Securities and Exchange Commission
Agency No. 34-97424
Agency No. IC-34906
Agency No. 88 Fed. Reg. 36002

Before SMITH and SOUTHWICK, *Circuit Judges.* *

J U D G M E N T

This cause was considered on the petition of Chamber of Commerce
of the United States of America, Longview Chamber of Commerce, and

* Judge Higginson, who has a member of the panel, now stands recused. This
opinion is issued by a quorum. *See* 28 U.S.C. § 46(d).

Texas Association of Business, for review of an order of the United States Securities and Exchange Commission and was argued by counsel.

IT IS ORDERED and ADJUDGED that the decision of the United States Securities and Exchange Commission is VACATED.

IT IS FURTHER ORDERED that Respondent pay to Petitioners the costs on appeal to be taxed by the Clerk of this Court.