NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

STATE OF OREGON, STATE OF WASHINGTON,
Plaintiffs-Appellees

v.

DONALD J. TRUMP, in his official capacity as President of the United States, DEPARTMENT OF HOMELAND SECURITY, MARKWAYNE MULLIN, in his official capacity as Secretary of the Department of Homeland Security, UNITED STATES CUSTOMS AND BORDER PROTECTION, RODNEY S. SCOTT, in his official capacity as Commissioner of U.S. Customs and Border Protection, UNITED STATES,
Defendants-Appellants

2026-1804

Appeal from the United States Court of International Trade in No. 1:26-cv-01472-3JP, Chief Judge Mark A. Barnett, Judge Claire R. Kelly, and Senior Judge Timothy C. Stanceu,

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BURLAP AND BARREL, INC., BASIC FUN, INC.,
Plaintiffs-Appellees

v.

DONALD J. TRUMP, in his official capacity as President of the United States, EXECUTIVE OFFICE OF THE PRESIDENT, UNITED STATES, UNITED STATES CUSTOMS AND BORDER PROTECTION, RODNEY S. SCOTT, in his official capacity as Commissioner of U.S. Customs and Border Protection, JAMIESON GREER, in his official capacity as U.S. Trade Representative, OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE, DEPARTMENT OF HOMELAND SECURITY, MARKWAYNE MULLIN, in his official capacity as Secretary of the Department of Homeland Security,
Defendants-Appellants

2026-1805

Appeal from the United States Court of International Trade in No. 1:26-cv-01606-3JP, Chief Judge Mark A. Barnett, Judge Claire R. Kelly, and Senior Judge Timothy C. Stanceu.

ON MOTION

PER CURIAM.

O R D E R

In these cases, the United States Court of International Trade (CIT) entered judgment against the appellants and enjoined the imposition of certain tariffs as to specific plaintiffs. The appellants move (1) to consolidate their appeals from those rulings, (2) for this court to stay the CIT's judgment and injunction entered in these cases, and (3) for an immediate administrative stay while the court

considers such relief. The appellants' request for the CIT to grant the same relief remains pending at that court.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motions to consolidate are granted. The appeals are consolidated, such that only one set of briefs should be filed for the appeals. The revised official caption for the consolidated appeals is reflected in this order.

(2) The requests for an immediate administrative stay are granted to the extent that the judgment and the permanent injunction entered by the CIT in these cases are temporarily stayed until further notice while this court considers the motions for a stay pending appeal.

(3) The appellees are directed to respond to the appellants' motions for a stay no later than seven days from the date of entry of this order. Any reply is due no later than three days from the date of service of the response(s).

(4) The appellants are directed to immediately inform this court of any action taken by the CIT on appellants' pending stay motions at that court.

FOR THE COURT

Jarrett B. Perlow
Clerk of Court

May 12, 2026
Date