



United States Court of Appeals for the Fifth Circuit



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

No. 21-40116

A True Copy
Certified order issued Feb 21, 2021
Jyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

LABORATORIOS PISA S.A.; CAB ENTERPRISES, INCORPORATED,

Plaintiffs—Appellees,

versus

PEPSICO, INCORPORATED; STOKLEY-VAN CAMP,
INCORPORATED,

Defendants—Appellants.

CONSOLIDATED WITH

No. 21-40117

IN RE: PEPSICO, INCORPORATED; STOKLEY-VAN CAMP,
INCORPORATED,

Petitioners.

Appeal from and Petition for a Writ of Mandamus to
the United States District Court
for the Southern District of Texas
USDC No. 7:21-CV-62

Before CLEMENT, COSTA, and WILSON, *Circuit Judges.*

No. 21-40116
c/w No. 21-40117

PER CURIAM:

IT IS ORDERED that the petition for writ of mandamus in No. 21-40117 is GRANTED. The district court is hereby DIRECTED to STAY the temporary restraining order entered on February 19, 2021, in Cause No. 7:21-CV-62, pending hearing and further order by the district court on the plaintiffs' motion for temporary restraining order.

IT IS FURTHER ORDERED that the Appellants' opposed motion in No. 21-40116 to place their motion for stay under seal, and Petitioners' motion in No. 21-40117 to place the petition under seal, are GRANTED.*

IT IS FURTHER ORDERED that the Appellants' opposed motion in No. 21-40116 to place under seal their motion to place motion for stay under seal, and Petitioners' motion in No. 21-40117 to place under seal the motion to place the petition under seal, are GRANTED.*

IT IS FURTHER ORDERED that the appeal in No. 21-40116 is DISMISSED for lack of jurisdiction.

* Judge Costa would not grant the motions to seal the motions and briefing, except for sealing the appendices filed in support of the petition in No. 21-40117, based on his conclusion that the parties have not overcome the right of public access to court filings.