

Corporate Transparency Act Déjà vu – The More Things Change The More They Stay The Same

Beneficial Ownership Information Reporting Requirements Paused (Again)

Client Alert

12.27.24

The reporting requirements of the Corporate Transparency Act (“CTA”) are once again paused, according to a decision from the United States Court of Appeals for the Fifth Circuit (the “**Fifth Circuit**”) filed on December 26, 2024. Just earlier this week, a motions panel of the Fifth Circuit granted the United States government’s emergency motion for a stay pending appeal, which lifted the preliminary injunction that paused CTA requirements^[1]. The United States Department of the Treasury’s Financial Crimes Enforcement Network (“**FinCEN**”) responded by extending the beneficial ownership information (“**BOI**”) reporting requirement rule to January 13, 2025, from the previous January 1, 2025, deadline. The Fifth Circuit’s decision filed late this December 26, 2024, puts those reporting requirements on pause once more. In a three-paragraph *en banc* order, the Fifth Circuit stated that^[2]:

“[I]n order to preserve the constitutional status quo while the merits panel considers the parties weighty substantive arguments, that part of the motions-panel order granting the Government’s motion to stay the district court’s preliminary injunction enjoining enforcement of the CTA and the Reporting Rule is VACATED.”

As a result, reporting companies need not comply with the CTA’s extended January 13, 2025, deadline. Reporting companies may, however, continue to file such reports on a voluntary basis on the FinCEN official government website. For the latest updates on the CTA, please contact your White and Williams LLP attorney or the authors: Christopher F. Graham, Partner, 212.714.3066, grahamc@whiteandwilliams.com; Morgan A. Goldstein, Associate, 475.977.8302, goldsteina@whiteandwilliams.com; Sofia Villalobos Vega, Associate, 215.864.6390, vegas@whiteandwilliams.com.

^[1] *Texas Top Cop Shop, Inc. v. Garland*, No. 24-40792, 2024 WL 5203138

^[2] To read the opinion, please visit: <https://www.ca5.uscourts.gov/opinions/unpub/24/24-40792.pdf>

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