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9 Jr. and State of California

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION
13

14
15 **NATIONAL MEAT ASSOCIATION, a not-for-**
profit corporation,

16 Plaintiff,

17 v.

18 **EDMUND GERALD BROWN, in his official**
capacity as Attorney General of California;
19 **ARNOLD SCHWARZENEGGER, in his official**
20 **capacity as Governor of California; and the**
21 **STATE OF CALIFORNIA,**

22 Defendant.

CASE NO: 1:08-cv-01963-LJO-DLB

**ANSWER OF GOVERNOR
ARNOLD SCHWARZENEGGER,
ATTORNEY GENERAL
EDMUND G. BROWN JR., AND
STATE OF CALIFORNIA TO
PLAINTIFF'S COMPLAINT**

Judge: Hon. Lawrence J. O'Neill

23 Defendants Governor Arnold Schwarzenegger, Attorney General Edmund G. Brown
24 Jr., and State of California (Defendants) answer Plaintiffs' Complaint for Declaratory and
25 Injunctive Relief as follows:

26 1. Responding to the allegations in Paragraph 1, Defendants admit that federal and state
27 law speak for themselves. Except as expressly admitted, Defendants deny the remaining
28 allegation in Paragraph 1.

1 2. Defendants lack sufficient knowledge or information to form a belief as to the truth of
2 the allegations in Paragraph 2, and on that basis deny the allegations in Paragraph 2.

3 3. Defendants lack sufficient knowledge or information to form a belief as to the truth of
4 the allegations in Paragraph 3, and on that basis deny the allegations in Paragraph 3.

5 4. Responding to the allegations in Paragraph 4, Defendants admit that state law speaks
6 for itself. Except as expressly admitted, Defendants deny the remaining allegations in Paragraph
7 4.

8 5. Responding to the allegations in Paragraph 5, Defendants admit that state law speaks
9 for itself and admit that Section 599f was amended and that amendment became effective on
10 January 1, 2009. Except as expressly admitted, Defendants deny the remaining allegations in
11 Paragraph 5.

12 6. Responding to allegations in Paragraph 6, Defendants admit that federal law speaks for
13 itself.

14 7. Defendants lack sufficient knowledge or information to form a belief as to the truth of
15 the allegations in Paragraph 7, and on that basis deny the allegations in Paragraph 7.

16 8. Defendants lack sufficient knowledge or information to form a belief as to the truth of
17 the allegations in Paragraph 8, and on that basis deny the allegations in Paragraph 8.

18 9. Defendants deny the allegations in Paragraph 9.

19 10. Defendants deny the allegations in Paragraph 10.

20 11. Defendants deny the allegations in Paragraph 11.

21 12. Defendants deny the allegations in Paragraph 12.

22 13. Defendants deny the allegations in Paragraph 13.

23 14. Defendants deny the allegations in Paragraph 14.

24 15. Responding to the allegations in Paragraph 15, Defendants admit that state law speaks
25 for itself and that amendments to section 599f of the California Penal Code became effective on
26 January 1, 2009, after adoption on July 22, 2008. Except as specifically admitted, Defendants
27 deny the remaining allegations in Paragraph 15.

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1 16. Responding to the allegations in Paragraph 16, Defendants admit that state law speaks
2 for itself and deny the remaining allegations in Paragraph 16.

3 17. Defendants deny the allegations in Paragraph 17.

4 18. Responding to the allegations in Paragraph 18, Defendants admit that state law speaks
5 for itself and deny the remaining allegations in Paragraph 18.

6 19. Responding to the allegations in Paragraph 19, Defendants admit that state law speaks
7 for itself and deny the remaining allegations in Paragraph 19.

8 20. Responding to the allegations in Paragraph 20, Defendants admit that federal law
9 speaks for itself and lack sufficient knowledge or information to form a belief as to the
10 allegations in Paragraph 20, and on that basis deny the allegations in Paragraph 20.

11 21. Responding to the allegations in Paragraph 21, Defendants admit that federal law
12 speaks for itself and lack sufficient knowledge or information to form a belief as to the
13 allegations in Paragraph 21, and on that basis deny the allegations in Paragraph 21.

14 22. Responding to the allegations in Paragraph 22, Defendants admit that federal law
15 speaks for itself and deny the remaining allegations in Paragraph 22.

16 23. Defendants deny the allegations in Paragraph 23.

17 24. Responding to the allegations in Paragraph 24, Defendants admit that federal law
18 speaks for itself and deny the remaining allegations in Paragraph 24.

19 25. Responding to the allegations in Paragraph 25, Defendants admit that federal law
20 speaks for itself and lack sufficient knowledge or information to form a belief as to the
21 allegations in Paragraph 25, and on that basis deny the allegations in Paragraph 25.

22 26. Responding to the allegations in Paragraph 26, Defendants admit that federal law
23 speaks for itself and deny the remaining allegations in Paragraph 26.

24 27. Responding to the allegations in Paragraph 27, Defendants admit that federal law
25 speaks for itself and deny the remaining allegations in Paragraph 27.

26 28. Responding to the allegations in Paragraph 28, Defendants admit that federal and state
27 law speaks for themselves and deny the remaining allegations in Paragraph 28.

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1 29. Responding to the allegations in Paragraph 29, Defendants admit that federal law
2 speaks for itself and deny the remaining allegations in Paragraph 29.

3 30. Responding to the allegations in Paragraph 30; Defendants admit that federal law
4 speaks for itself and deny the remaining allegations in Paragraph 30.

5 31. Responding to the allegations in Paragraph 31, Defendants admit that federal law
6 speaks for itself and deny the remaining allegations in Paragraph 31.

7 32. Responding to the allegations in Paragraph 32, Defendants admit that federal and state
8 law speak for themselves and deny the remaining allegations in Paragraph 32.

9 33. Responding to the allegations in Paragraph 33, Defendants admit that federal and state
10 law speak for themselves and deny the remaining allegations in Paragraph 33.

11 34. Defendants lack sufficient knowledge or information to form a belief as to the truth of
12 the allegations in Paragraph 34, and on that basis deny the allegations in Paragraph 34.

13 35. Defendants lack sufficient knowledge or information to form a belief as to the truth of
14 the allegations in Paragraph 35, and on that basis deny the allegations in Paragraph 35.

15 36. Defendants deny the allegations in Paragraph 36.

16 37. Defendants deny the allegations in Paragraph 37.

17 38. Responding to Paragraph 38, Defendants incorporate herein by this reference their
18 responses to Paragraphs 1 through 37, inclusive.

19 39. Defendants deny the allegations in Paragraph 39.

20 40. Responding to the allegations in Paragraph 40, Defendants admit that federal law
21 speaks for itself and deny the remaining allegations in Paragraph 40.

22 41. Defendants deny the allegations in Paragraph 41.

23 42. Defendants deny the allegations in Paragraph 42.

24 43. Defendants deny the allegations in Paragraph 43.

25 44. Defendants deny the allegations in Paragraph 44.

26 45. Responding to Paragraph 45, Defendants incorporate herein by this reference their
27 responses to Paragraphs 1 through 44, inclusive.

28 46. Defendants deny the allegations in Paragraph 46.

1 47. Responding to the allegations in Paragraph 47, Defendants admit that federal law
2 speaks for itself and deny the remaining allegations in Paragraph 47.

3 48. Defendants deny the allegations in Paragraph 48.

4 49. Defendants deny the allegations in Paragraph 49.

5 50. Defendants deny the allegations in Paragraph 50.

6 51. Defendants deny the allegations in Paragraph 51.

7 52. Responding to Paragraph 52, Defendants incorporate herein by this reference their
8 responses to Paragraphs 1 through 51, inclusive.

9 53. Defendants deny the allegations in Paragraph 53.

10 54. Defendants deny the allegations in Paragraph 54.

11 55. Responding to the allegations in Paragraph 55, Defendants admit that state law speaks
12 for itself and deny the remaining allegations in Paragraph 55.

13 56. Defendants lack sufficient knowledge or information to form a belief as to the truth of
14 the allegations in Paragraph 3, and on that basis deny the allegations in Paragraph 3.

15 57. Defendants deny the allegations in Paragraph 57.

16 58. Defendants deny the allegations in Paragraph 58.

17 59. Defendants deny the allegations in Paragraph 59.

18 60. Defendants deny the allegations in Paragraph 60.

19 DEFENSES

20 ONE

21 The Complaint, and each cause of action therein, fails to state facts sufficient to constitute a
22 cause of action.

23 TWO

24 Plaintiff's claims in this action are barred in that they do not have standing to assert them.

25 THREE

26 There is no case or controversy as required by Article III of the United States Constitution.

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