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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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NATIONAL ASSOCIATION OF WHEAT
GROWERS; NATIONAL CORN GROWERS
ASSOCIATION; UNITED STATES DURUM
GROWERS ASSOCIATION; WESTERN
PLANT HEALTH ASSOCIATION; IOWA
SOYBEAN ASSOCIATION; SOUTH
DAKOTA AGRI-BUSINESS
ASSOCIATION; NORTH DAKOTA GRAIN
GROWERS ASSOCIATION; MISSOURI
CHAMBER OF COMMERCE AND
INDUSTRY; MONSANTO COMPANY;
ASSOCIATED INDUSTRIES OF
MISSOURI; AGRIBUSINESS
ASSOCIATION OF IOWA; CROPLIFE
AMERICA; and AGRICULTURAL
RETAILERS ASSOCIATION,

Plaintiffs,

v.

XAVIER BECERRA, in his official
capacity as Attorney General of
the State of California,

Defendant.

No. 2:17-cv-2401 WBS EFB

ORDER

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On June 22, 2020, the court granted summary judgment on

1 plaintiffs' First Amendment claim and entered a permanent
2 injunction enjoining enforcement of Proposition 65's warning
3 requirement as to glyphosate. (Docket No. 165.) Accordingly,
4 plaintiffs have achieved the goal of their suit -- a declaration
5 that the warning requirement as to glyphosate is
6 unconstitutional.¹

7 Accordingly, on or before August 14, 2020, the parties
8 are ORDERED TO SHOW CAUSE, if any there be, why the remaining
9 counts of the First Amended Complaint should not be dismissed as
10 moot and why final judgment should not now be entered. In the
11 absence of a showing of good cause, the remaining counts will be
12 dismissed and the court will forthwith enter final judgment on
13 its order of June 22, 2020.

14 IT IS SO ORDERED.

15 Dated: July 30, 2020


16 WILLIAM B. SHUBB
17 UNITED STATES DISTRICT JUDGE

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26 ¹ Indeed, plaintiffs relied solely on their First
27 Amendment claim in seeking a preliminary injunction and then
28 summary judgment, and at no point have they sought to litigate
their Supremacy Clause and Due Process Clause claims beyond
including them in the Complaint and First Amended Complaint.