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9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
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12 NATIONAL ASSOCIATION OF WHEAT
GROWERS; NATIONAL CORN GROWERS
ASSOCIATION; UNITED STATES
13 DURUM GROWERS ASSOCIATION;
WESTERN PLANT HEALTH
14 ASSOCIATION; MISSOURI FARM
BUREAU; IOWA SOYBEAN
15 ASSOCIATION; SOUTH DAKOTA AGRI-
BUSINESS ASSOCIATION; NORTH
16 DAKOTA GRAIN GROWERS
ASSOCIATION; MISSOURI CHAMBER
17 OF COMMERCE AND INDUSTRY;
MONSANTO COMPANY; ASSOCIATED
18 INDUSTRIES OF MISSOURI;
AGRIBUSINESS ASSOCIATION OF
19 IOWA; CROPLIFE AMERICA; AND
AGRICULTURAL RETAILERS
20 ASSOCIATION,

21 Plaintiffs,

22
23 LAUREN ZEISE, IN HER OFFICIAL
CAPACITY AS DIRECTOR OF THE
OFFICE OF ENVIRONMENTAL HEALTH
24 HAZARD ASSESSMENT; AND XAVIER
BECERRA, IN HIS OFFICIAL
25 CAPACITY AS ATTORNEY GENERAL OF
DEFENDANTS OF CALIFORNIA,
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27 Defendants.
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Civil Action No. 2:17-cv-
02401-WBS-EFB

**ORDER GRANTING STIPULATION
TO DISMISS DEFENDANT DR.
LAUREN ZEISE WITHOUT
PREJUDICE PURSUANT TO FED.
R. CIV. P. 41(a)(1)(A)(ii)
AND TO MODIFY PRELIMINARY
INJUNCTION**

The Honorable William B.
Shubb

Courtroom 5

Case Filed: Nov. 15, 2017

1 Upon consideration of the parties' Stipulation to Dismiss
2 Defendant Lauren Zeise Without Prejudice Pursuant to Fed. R.
3 Civ. P. 41(a)(1)(A)(ii) and to Modify Preliminary Injunction,
4 and for good cause shown, the Court hereby orders as follows:

5 1. Defendant Lauren Zeise is dismissed from this action
6 without prejudice.

7 2. Defendant Zeise's Motion (Dkt. 83) seeking her
8 dismissal from this action is taken off calendar.

9 3. The preliminary injunction, which the Court granted in
10 part by Order dated February 26, 2018 (Dkt. 75 at page 19, lines
11 25-28, and page 20, lines 1-7), is modified to read as follows:

12 Plaintiffs' request for a preliminary injunction as to
13 Defendant Xavier Becerra, in his official capacity as
14 Attorney General of the State of California, enjoining
15 his enforcement of the warning requirement of
16 California Health & Safety Code § 25249.6 as to
17 glyphosate is GRANTED. Pending final resolution of
18 this action, the Attorney General, his agents and
19 employees, all persons or entities in privity with
20 him, and anyone acting in concert with him are hereby
21 ENJOINED from enforcing as against plaintiffs,
22 plaintiffs' members, and all persons represented by
23 plaintiffs, California Health & Safety Code §
24 25249.6's requirement that any person in the course of
25 doing business provide a clear and reasonable warning
26 before exposing any individual to glyphosate.

27 4. Nothing in this Order shall modify the schedule for
28 briefing and hearing of other pending motions, including
Defendant Becerra's pending Motion to Alter or Amend the Court's
Order Granting Preliminary Injunction as to Warning Provision of
Proposition 65 (Dkt. 81).

IT IS SO ORDERED.

Dated: May 4, 2018


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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Dated: May 3, 2018

/s/ Philip J. Perry
Philip J. Perry
Attorney for Plaintiffs
Monsanto Company and CropLife
America