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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CENTER FOR FOOD SAFETY, et al.,

Plaintiffs,

No. C 10-04038 JSW

v.

THOMAS J. VILSACK, et al.,

Defendants.

**ORDER REGARDING
PROPOSED INTERVENORS'
MOTIONS TO INTERVENE AND
JOINT MOTION TO FILE A
BRIEF AS AMICI CURIAE
OPPOSING PLAINTIFFS'
APPLICATION FOR
TEMPORARY RESTRAINING
ORDER**

On September 14 and 15, 2010, proposed intervenors Monsanto Company, Syngenta Seeds, Inc. and Betaseed, Inc. (collectively, "Proposed Defendant-Intervenors") filed motions to intervene and to have those motions heard on shortened time. Proposed Defendant-Intervenors also filed a joint motion to file a brief of amici curiae opposing Plaintiffs' application for a temporary restraining order ("TRO"). This action was transferred to this Court today, September 21, 2010.

The Court HEREBY ORDERS Plaintiffs to file an opposition, if any, by no later than 11:00 a.m. on September 23, 2010, to Proposed Intervenor-Defendants motions to intervene and their joint motion to file an amicus curiae. Plaintiffs shall also file an opposition to Proposed Intervenor-Defendants' proposed substantive brief as amicus curiae by no later than 11:00 a.m. on September 24, 2010.

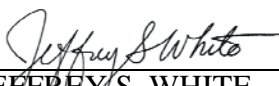
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In particular, Plaintiffs shall address what remedy, if any, they seek in connection with their TRO application to the extent the seed plants have already been planted pursuant to the permits issued by the Animal and Plant Health Inspection Service (“APHIS”).

Given the time constraints in this matter, the Court FURTHER ORDERS Proposed Intervenor-Defendants to file a joint proposed opposition to Plaintiffs’ TRO application by no later than 11:00 a.m. on September 23, 2010. If their joint proposed opposition would not differ substantively from their proposed amicus brief, there is no need for Proposed Intervenor-Defendants to file this additional brief. If the Court grants Proposed Intervenor-Defendants’ motions to intervene, the Court is amenable to construing their proposed amicus brief as their opposition to Plaintiffs’ TRO application. Plaintiffs’ shall file a proposed reply in response to Proposed Intervenor-Defendants’ proposed opposition brief, if any, by no later than 9:30 a.m. on September 27, 2010.

IT IS SO ORDERED.

Dated: September 21, 2010



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE