

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**FARM-TO-CONSUMER DEFENSE
FUND et al.,**

Plaintiffs,

v.

**UNITED STATES DEPARTMENT
OF AGRICULTURE and MICHIGAN
DEPARTMENT OF AGRICULTURE,**

Defendants.

No. 08-CV-1546-RMC

USDA’S MOTION TO DISMISS THE FIRST AMENDED COMPLAINT

Defendant the United States Department of Agriculture (USDA) requests that the Court dismiss all claims in the First Amended Complaint that are directed against the USDA.

Dated: February 5, 2009

Respectfully Submitted:

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/s/ Peter T. Wechsler
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