

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

Farm-to-Consumer Legal Defense Fund, et al.	:	Case No. 1:08-cv-01546-RMC
	:	
Plaintiffs	:	Judge Rosemary M. Collyer
	:	
v.	:	
	:	
U.S. Department of Agriculture, et al.	:	
	:	
Defendants	:	

**PLAINTIFFS' NOTICE OF USDA'S INTENT TO SUPPLEMENT THE
ADMINISTRATIVE RECORD**

The Court's minute order of May 18, 2009 ("Court's Order") granted leave for the Plaintiffs to supplement the administrative record ("Supplemental Record"), adding Documents 1-119. Defendant USDA, nevertheless, notified Plaintiffs that it intends to file the Supplemental Record, including Documents 1-119. Plaintiffs do not object to the filing of the Supplemental Record by the USDA. However, if the Supplemental Record does not comport with the Court's Order then Plaintiffs request that they be permitted to further supplement the record consistent with the Court's Order.

May 29, 2009

Respectfully submitted,

/s/ David G. Cox
 David G. Cox (D.C. Bar No. OH 0020)
 4240 Kendale Road
 Columbus, OH 43220
dcoxlaw@columbus.rr.com
 Phone: 614-457-5167
 Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Peter T. Wechsler
peter.wechsler@usdoj.gov
Trial Attorney
United States Department of Justice
Civil Division
Federal Programs Branch
20 Massachusetts Avenue, N.W.
Washington, D.C. 20530
Counsel for USDA

and

James E. Riley
rileyje@michigan.gov
First Assistant
Danielle Allison-Yokom
allisonyokomd@michigan.gov
Assistant Attorney General
Michigan Department of Agriculture
Environment, Natural Resources
and Agriculture Division
525 West Ottawa Street
6th Floor Williams Building
Lansing, MI 48913
Counsel for MDA

/s/ David G. Cox
David G. Cox