

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

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

Plaintiffs,

v.

**TOM VILSACK, Secretary,
U.S. DEPARTMENT OF
AGRICULTURE,¹ *et al.*,**

Defendants.

Civil Action No. 08-1546 (RMC)

ORDER

For the reasons stated in the Memorandum Opinion filed separately and contemporaneously herewith, it is hereby

ORDERED that the United States Department of Agriculture's Motion to Dismiss the First Amended Complaint [Dkt. # 29] is **GRANTED**; and it is

FURTHER ORDERED that the Michigan Department of Agriculture's Motion for Summary Judgement [Dkt. # 31] is **GRANTED**; and it is

FURTHER ORDERED that the First Amended Complaint is **DISMISSED** in its entirety; and it is

FURTHER ORDERED that the United States Department of Agriculture's Motion to Dismiss Plaintiff Greg Niewendorp's Claims as Moot [Dkt. # 50] is **GRANTED**; and it is

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Tom Vilsack is substituted as Secretary for his predecessor, Ed Schafer, Secretary of the U.S. Department of Agriculture.

FURTHER ORDERED that all other pending motions [Dkt. ## 3 & 49] are
DENIED AS MOOT.

This case is closed. This is a final appealable order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

DATE: July 23, 2009

/s/

ROSEMARY M. COLLYER
United States District Judge