

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

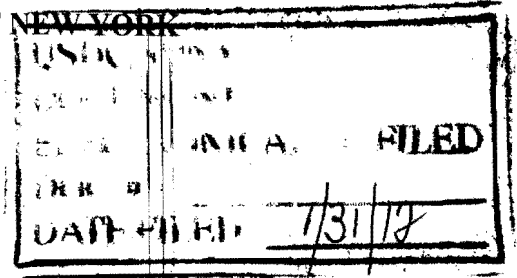
NATURAL RESOURCES DEFENSE)
COUNCIL, INC.; CENTER FOR SCIENCE)
IN THE PUBLIC INTEREST; FOOD)
ANIMAL CONCERNS TRUST; PUBLIC)
CITIZEN, INC.; and UNION OF)
CONCERNED SCIENTISTS, INC.,)

Plaintiffs,)

v.)

UNITED STATES FOOD AND DRUG)
ADMINISTRATION; MARGARET)
HAMBURG, in her official capacity as)
Commissioner, United States Food and Drug)
Administration; CENTER FOR)
VETERINARY MEDICINE; BERNADETTE)
DUNHAM, in her official capacity as)
Director, Center for Veterinary Medicine;)
UNITED STATES DEPARTMENT OF)
HEALTH AND HUMAN SERVICES; and)
KATHLEEN SEBELIUS, in her official)
capacity as Secretary, United States)
Department of Health and Human Services,)

Defendants.)



11 CIV 3562 (THK)
ECF Case

*The motion to file a
Supplemental Complaint is
granted.*

1/31/12

SO ORDERED

Theodore H. Katz
THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

PLAINTIFFS' MOTION FOR LEAVE TO FILE A SUPPLEMENTAL COMPLAINT

Pursuant to Rule 15(d) of the Federal Rules of Civil Procedure, Plaintiffs Natural Resources Defense Council, Center for Science in the Public Interest, Food Animal Concerns Trust, Public Citizen, and Union of Concerned Scientists hereby move for leave to file the Supplemental Complaint attached to this Motion. Plaintiffs respectfully propose the following schedule for briefing the merits of the new claim set forth in the Supplemental Complaint:

- (1) Plaintiffs would file a supplemental motion for summary judgment on February 13, 2012;