

**[ORAL ARGUMENT NOT YET SCHEDULED]****IN THE UNITED STATES COURT OF APPEALS  
FOR THE D.C. CIRCUIT**

DISTRICT OF COLUMBIA, *et al.*,  
Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF  
AGRICULTURE, *et al.*,  
Defendants-Appellants.

No. 20-5136

**UNOPPOSED MOTION TO  
DISMISS APPEAL AS MOOT**

In this appeal, appellants challenge a preliminary injunction entered by the district court prohibiting the implementation of certain portions of a final rule promulgated by the United States Department of Agriculture. On October 18, 2020, the district court entered final judgment in favor of plaintiffs-appellees, vacating the final rule and superseding the earlier grant of preliminary relief. The district court's final judgment renders this appeal from the preliminary injunction moot. *See Grupo Mexico de Desarrollo, S.A. v. Alliance Bond Fund, Inc.*, 527 U.S. 308, 314 (1999).

Accordingly, defendants-appellants United States Department of Agriculture; George E. Purdue, III, in his official capacity as Secretary of the U.S. Department of Agriculture; and the United States of America hereby move to dismiss this appeal, with each party to bear its own costs for the appeal. Counsel for plaintiffs-appellees

have authorized us to state that they do not oppose this motion. USDA notes that dismissing this appeal as moot in no way affects its right to appeal the final judgment of the district court issued on October 18.

Respectfully submitted,

MICHAEL S. RAAB

*/s/ Sean Janda*

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OCTOBER 2020

**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 181 words, according to the count of Microsoft Word.

/s/ Sean Janda

Sean Janda