

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

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SCOTT WYNN, an individual,  
  
Plaintiff,

Civil Action  
No. 3:21-cv-00514-MMH-JRK

v.

TOM VILSACK, in his official capacity as  
U.S. Secretary of Agriculture; ZACH  
DUCHENEAUX, in his official capacity  
as Administrator, Farm Service Agency,

Defendants.

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**DECLARATION OF SCOTT WYNN IN SUPPORT OF MOTION FOR  
PRELIMINARY INJUNCTION**

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1. The facts set forth in this declaration are based on my knowledge and, if called as a witness, I can competently testify to their truthfulness under oath. As to those matters that reflect a matter of opinion, they reflect my personal opinion and judgment upon the matter.

2. I am a citizen of the United States and live in Jennings, Florida.

3. I am a full-time farmer and have owned my own farm since 2006.

4. Over the years, I have farmed a variety of crops, including peanuts, sweet potato, corn, and cotton. I currently farm primarily cattle and hay.

5. To help finance my farming operations, I have taken out multiple farm loans, including farm operating loans that I obtained from the Farm Service Agency. Several of my loans, including loans issued by the Farm Service Agency, had outstanding balances as of January 1, 2021.

6. The required payments on my outstanding farm loans use up a large portion of my monthly income. Were it not for those payment obligations, I could use those funds to invest in my farm, expand my business, or support my family. In August 2020, I took a second job with a neighboring farmer to help with my financial situation. I help the neighboring farmer with all aspects of his farm, including, but not limited to, tending to cattle, harvesting crops, land preparation, planting, and fence projects.

7. When it comes to my race, I would be considered white or Caucasian. I believe that the customer data worksheet that I filed with the United States Department of Agriculture lists my demographic information as "White."

8. I was very surprised when I learned that Section 1005 of the American Rescue Plan Act of 2021 created a loan assistance program that excludes white farmers and ranchers like me on the basis of race.

9. I feel stigmatized and discriminated against on account of my race because if I were not white, I would qualify for loan assistance under Section 1005. I always understood that the Constitution guarantees equal treatment

to all citizens regardless of race. It is unfair that I am being excluded from a government program designed to help farmers and ranchers solely on account of my race.

I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.

DATED: May 23, 2021.

  
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SCOTT WYNN