

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

SCOTT WYNN, an individual,

Plaintiff,

v.

TOM VILSACK, in his official capacity
as Secretary of Agriculture, *et al.*,

Defendants.

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

JOINT NOTICE

At the conclusion of the hearing on Plaintiff's motion for a preliminary injunction in the above-captioned matter, the Court asked the parties for their respective positions on consolidating the hearing on the motion for a preliminary injunction with the hearing on the merits pursuant to Rule 65 of the Federal Rules of Civil Procedure and directed the parties to report their positions to the Court by June 22, 2021. The parties' respective positions are as follows:

Plaintiff's position: Plaintiff does not oppose consolidating the hearing on the motion for preliminary injunction and the hearing on the merits, provided that a decision can be obtained promptly.

Defendants' position: Defendants oppose consolidating the hearing on the motion for a preliminary injunction and the hearing on the merits at this time.

DATED: June 22, 2021

Respectfully submitted,

BRIAN M. BOYNTON
Acting Assistant Attorney General

LESLEY FARBY
Assistant Branch Director
Civil Division, Federal Programs Branch

/s/ Emily Sue Newton
EMILY SUE NEWTON (VA Bar No.
80745)
Senior Trial Counsel
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20005
Tel: (202) 305-8356 / Fax: (202) 616-8460
emily.s.newton@usdoj.gov

Counsel for Defendants

PACIFIC LEGAL FOUNDATION

Christina M. Martin
Fla. Bar No. 100760
4440 PGA Blvd., Suite 307
Palm Beach Gardens, FL 33410
Telephone: (561) 619-5000
Facsimile: (561) 619-5006
Email: CMartin@pacificlegal.org

s/ Wencong Fa
Wencong Fa*
Cal. Bar No. 301679
Lead Counsel
Daniel M. Ortner*
Cal. Bar No. 329866
930 G Street
Sacramento CA 95814
Email: WFa@pacificlegal.org
Email: DOrtner@pacificlegal.org

Glenn E. Roper*
Colo. Bar No. 38723
1745 Shea Center Dr., Suite 400
Highlands Ranch CO 80129
Telephone: (916) 419-7111
Facsimile: (916) 419-7747
Email: GERoper@pacificlegal.org

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2021, I filed with the Court and served on opposing counsel through the CM/ECF system the foregoing document.

DATED: June 22, 2021

/s/ Emily Newton
EMILY SUE NEWTON
(Va. Bar No. 80745)
Senior Trial Counsel
Civil Division, Federal Programs Branch
U.S. Department of Justice
1100 L Street, NW
Phone: (202) 305-8356
Fax: (202) 616-8470
E-mail: emily.s.newton@usdoj.gov

Counsel for Defendants