

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

SCOTT WYNN

CASE NO. 3:21-cv-514-MMH-JRK

v.

THOMAS J. VILSACK, et al.

Counsel for Plaintiff:

Wencong Fa
Glenn Roper

Counsel for Defendants:

Emily Newton
Kyla Snow

HONORABLE MARCIA MORALES HOWARD
UNITED STATES DISTRICT JUDGE

Courtroom Deputy: Jodi L. Wiles

Court Reporter: Cindy Packevicz Jarriel

CLERK'S MINUTES

PROCEEDINGS OF: PRELIMINARY INJUNCTION HEARING

The National Black Farmers Association and the Association of American Indian Farmers' Opposed Motion for Leave to File *Amicus Curiae* Brief in Opposition to Plaintiff's Motion for Preliminary Injunction (Dkt. No. 25) is **GRANTED**. The Court accepts the *Amicus* Brief and will consider the arguments raised in it when ruling on Plaintiff's Motion for Preliminary Injunction (Dkt. No. 11).

The National Black Farmers Association and the Association of American Indian Farmers' Opposed Conditional Motion for Leave to Intervene as Defendants (Dkt. No. 33) is **GRANTED** to the extent that the motion is before the Court. However, the Court **DEFERS** consideration of the motion until such time as the movants file a notice advising the Court that in their view the interests of the National Black Farmers Association and the Association of American Indian Farmers have diverged from those of the Government. Contemporaneous with any such filing, the movants shall file a supplemental memorandum in support of intervention that addresses the relevant factors based on the record as it stands before the Court at that time. Before doing so, the movants must confer with Plaintiff to determine if Plaintiff still opposes that relief. If Plaintiff opposes that relief, then Plaintiff shall file any memorandum in opposition within 14 days after the movants file their notice. If the Government opposes it, then it shall file any memorandum in opposition within 14 days as well.

Plaintiff's Motion for Preliminary Injunction (Dkt. No. 11) is **TAKEN UNDER ADVISEMENT**.

No later than **June 22, 2021**, the parties shall file a notice regarding their position on whether the Court should consolidate this motion with the trial on the merits.

Order to enter.