

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

SID MILLER, et al.,

Plaintiffs,

v.

TOM VILSACK, in his official capacity as
Secretary of Agriculture,

Defendant.

No. 4:21-cv-00595-O

**THE FEDERATION OF SOUTHERN COOPERATIVES/LAND ASSISTANCE
FUND'S EMERGENCY MOTION TO STAY PROCEEDINGS PENDING
APPEAL AND REQUEST FOR EXPEDITED BRIEFING**

The Federation of Southern Cooperatives/Land Assistance Fund (the "Federation"), by and through its undersigned counsel, hereby files this Emergency Motion to Stay Proceedings Pending Appeal (the "Motion"). The Federation respectfully moves the Court to stay all proceedings in the above-captioned case while the Federation pursues an expedited appeal of this Court's Order (ECF No. 143) denying the Federation's motion to intervene. The Federation requests also that the Court set an expedited briefing schedule to require any responses to be filed within 14 days hereof (in the interest of expediency, the Federation hereby waives its right to file a reply). In support of its Motion, the Federation fully incorporates its brief in support. Accordingly, the Federation respectfully requests that the Court enter the proposed orders included herewith and (1) order any parties to file a response no later than January 5, 2022; and (2) stay all proceedings in this case pending appeal of the Court's denial of the Federation's motion to intervene.

Dated: December 22, 2021

Respectfully submitted,

/s/ Chase J. Cooper

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was filed via the court's CM/ECF system on December 22, 2021, which will serve all counsel of record.

/s/ Chase J. Cooper

Chase J. Cooper

CERTIFICATE OF CONFERENCE

I certify that on December 16, 2021, I conferred via telephone with Jonathan Mitchell, counsel for Plaintiffs', who indicated that Plaintiffs would oppose a stay of proceedings in this case. On December 22, 2021, I conferred via email with Michael Knapp, counsel for the Secretary, who indicated that the Government takes no position on the motion to stay proceedings but consents to the request for expedited briefing.

/s/ Chase J. Cooper _____

Chase J. Cooper

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**PROPOSED ORDER GRANTING THE FEDERATION OF SOUTHERN
COOPERATIVES/LAND ASSISTANCE FUND'S REQUEST FOR EXPEDITED
BRIEFING OF ITS MOTION TO STAY PROCEEDINGS PENDING APPEAL**

Having considered the Federation of Southern Cooperatives/Land Assistance Fund's ("Federation") request to expedite briefing and for good cause shown, it is hereby ORDERED that:

1. The Federation's request to expedite briefing is GRANTED.
2. Plaintiffs and Defendant shall file any response to the Federation's motion to stay proceedings pending appeal of this Court's order denying the Federation's motion to intervene no later than January 5, 2022.
3. The Federation shall not file a reply brief in support of its motion to stay, as it has expressly waived its right to do so in its moving papers, and the Court may rule on the motion without awaiting any reply.

IT IS SO ORDERED.

Dated: _____

THE HONORABLE REED O'CONNOR
UNITED STATES DISTRICT JUDGE

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No. 4:21-cv-00595-O

**PROPOSED ORDER GRANTING THE FEDERATION OF SOUTHERN
COOPERATIVES/LAND ASSISTANCE FUND'S EMERGENCY MOTION TO
STAY PROCEEDINGS PENDING APPEAL**

Having considered the briefing on the Federation of Southern Cooperatives/Land Assistance Fund's ("Federation") Emergency Motion to Stay Proceedings Pending Appeal, and for good cause shown, it is hereby ORDERED that:

1. The Federation's motion to stay is GRANTED.
2. All proceedings and deadlines in the above-captioned case are hereby STAYED pending resolution of the Federation's appeal of this Court's Order denying intervention (ECF No. 143).

IT IS SO ORDERED.

Dated: _____

THE HONORABLE REED O'CONNOR
UNITED STATES DISTRICT JUDGE