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9 *Attorney for Plaintiffs*

10 **IN THE UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**
12 **FRESNO DIVISION**

13 UNITED FARM WORKERS and UFW
14 FOUNDATION,

15 Plaintiffs,

16 v.

17 THE UNITED STATES DEPARTMENT OF
18 LABOR and MARTIN J. WALSH, in his
19 official capacity as United States Secretary of
20 Labor,

21 Defendants.

Case No. 1:20-cv-01690-DAD-JLT

**PLAINTIFFS’ OPPOSITION TO
PROPOSED INTERVENORS’ MOTION
TO STAY**

Hearing On Motion

Date: June 22, 2021

Time: 1:30 p.m.

Before: Judge Dale A. Drozd

22 The National Council of Agricultural Employers and Western Growers Association (“proposed
23 intervenors”) waited until June 10, 2021 to seek to intervene in this action—more than six months after
24 the complaint was filed, five months after this Court granted a preliminary injunction, and almost five
25 months since the Court ordered the U.S. Department of Labor (“DOL”) to notify employers about the
26 potential for future wage-adjustment payments. For the reasons stated in plaintiffs’ opposition to
27 proposed intervenors’ motion to intervene, intervention should be denied. Accordingly, proposed
28 intervenors’ motion to stay should likewise be denied.

Plaintiffs would be greatly prejudiced by a stay. As plaintiffs have explained, and this Court has
recognized, the wage adjustment “w[ill] be economically significant for farmworkers toiling for

1 subsistence wages and for their families, who are already forced to choose between necessities.” ECF
2 No. 48 at 13; *see also* ECF No. 58 at 11. Delaying this relief will cause needless harm to these
3 farmworkers. For these reasons, plaintiffs respectfully request that the Court deny proposed intervenors’
4 motion to stay proceedings in this case.¹

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6 Dated: June 18, 2021

By: /s/ Mark Selwyn
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27 ¹ Plaintiffs note that proposed intervenors’ motion to stay may be moot due to the Court’s sua sponte
28 stay. *See* ECF No. 74 at 7. To the extent proposed intervenors’ motion to stay is still pending, plaintiffs
formally state their opposition to the motion.