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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATIONAL ASSOCIATION OF WHEAT
GROWERS; NATIONAL CORN GROWERS
ASSOCIATION; UNITED STATES
DURUM GROWERS ASSOCIATION;
WESTERN PLANT HEALTH
ASSOCIATION; MISSOURI FARM
BUREAU; IOWA SOYBEAN
ASSOCIATION; SOUTH DAKOTA
AGRI-BUSINESS ASSOCIATION;
NORTH DAKOTA GRAIN GROWERS
ASSOCIATION; MISSOURI CHAMBER
OF COMMERCE AND INDUSTRY;
MONSANTO COMPANY; ASSOCIATED
INDUSTRIES OF MISSOURI;
AGRIBUSINESS ASSOCIATION OF
IOWA; CROPLIFE AMERICA; AND
AGRICULTURAL RETAILERS
ASSOCIATION,

Plaintiffs,

XAVIER BECERRA, IN HIS
OFFICIAL CAPACITY AS ATTORNEY
GENERAL OF THE STATE OF
CALIFORNIA,

Defendant.

Civil Action No. 2:17-cv-02401-
WBS-EFB

ORDER

1 Upon consideration of the parties' Joint Response to Order
2 to Show Cause, it is hereby ORDERED that:

3 1. Plaintiffs' pending claims in their First Amended
4 Complaint, Dkt. 23, consisting of Claim II (Violation of
5 Supremacy Clause of the United States Constitution) and Claim
6 III (Violation of the Due Process Clause of the Fourteenth
7 Amendment to the United States Constitution) are DISMISSED
8 WITHOUT PREJUDICE as moot;

9 2. The court GRANTS LEAVE to Plaintiffs to refile Claim
10 II and Claim III in the event that, following appeal, the Ninth
11 Circuit Court of Appeals remands this matter to this court; and

12 3. The Clerk shall separately enter judgment pursuant to
13 the court's Memorandum and Order Re: Cross Motions for Summary
14 Judgment, Dkt. 155, issued on June 22, 2020.

15 IT IS SO ORDERED.

16 Dated: August 10, 2020



17 WILLIAM B. SHUBB
18 UNITED STATES DISTRICT JUDGE

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