

No. 20-107

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**In the Supreme Court of the United States**

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CEDAR POINT NURSERY, ET AL., PETITIONERS

*v.*

VICTORIA HASSID, ET AL.

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*ON WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT*

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**BRIEF FOR THE UNITED STATES AS AMICUS CURIAE  
IN SUPPORT OF REVERSAL**

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### QUESTION PRESENTED

California Code of Regulations title 8, § 20900 (2020), requires agricultural employers to admit labor union organizers onto the employers' property for up to three hours per day, 120 days per year, on an indefinite basis, for the purpose of organizing the agricultural employees on the property. The question presented is whether the regulation effects a per se physical taking under the Fifth and Fourteenth Amendments to the United States Constitution.

(I)

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