

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.

Case No. 4:21-cv-00595-O

**MOTION FOR CLASS CERTIFICATION**

The plaintiffs respectfully move to certify two classes under Rule 23(b)(2) of the Federal Rules of Civil Procedure.

The first proposed class will be represented by plaintiffs Greg Macha, James Meek, Jeff Peters, and Lorinda O'Shaughnessy, and it consists of "all farmers and ranchers in the United States who are encountering, or who will encounter, racial discrimination from the United States Department of Agriculture on account of section 1005 of the American Rescue Plan Act."

The second proposed class will be represented by all of the named plaintiffs in this action, and it consists of "all farmers and ranchers in the United States who are currently excluded from the definition of 'socially disadvantaged farmer or rancher,' as defined in 7 U.S.C. § 2279(a)(5)–(6) and as interpreted by the Department of Agriculture."

The accompanying brief provides our arguments and authorities.

Respectfully submitted.

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Dated: June 2, 2021

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### CERTIFICATE OF CONFERENCE

I certify that on June 2, 2021, I conferred with Emily Sue Newton, counsel for the defendants, and she informed me that the defendants oppose this motion.

/s/ Jonathan F. Mitchell  
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### CERTIFICATE OF SERVICE

I certify that on June 2, 2021, I served this document through CM/ECF upon:

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