

ORAL ARGUMENT NOT YET SCHEDULED

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

FARMWORKER ASSOCIATION OF)	
FLORIDA, ENVIRONMENTAL)	
WORKING GROUP, and CENTER FOR)	
BIOLOGICAL DIVERSITY,)	No. 21-1079
<i>Petitioners,</i>)	
)	
v.)	
)	
UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY,)	
<i>Respondent.</i>)	

**MOTION FOR SUMMARY VACATUR;
MOTION FOR STAY PENDING EXPEDITED REVIEW**

JONATHAN EVANS
 CENTER FOR BIOLOGICAL DIVERSITY
 1212 Broadway, Suite 800
 Oakland, CA 94612
 Tel: (510) 844-7100 x318
 Fax: (510) 844-7150
jevans@biologicaldiversity.org

STEPHANIE M. PARENT
 CENTER FOR BIOLOGICAL DIVERSITY
 P.O. Box 11374
 Portland, OR 97211
 Tel: (971) 717-6404
 Fax: (503) 283-5528
sparent@biologicaldiversity.org

*Attorneys for Petitioners Farmworker Association of Florida,
Environmental Working Group, and Center for Biological Diversity*

CERTIFICATE OF PARTIES, RULINGS, AND RELATED CASES

Pursuant to D.C. Circuit Rule 28(a)(1), Farmworker Association of Florida, Environmental Working Group and Center for Biological Diversity (collectively, Petitioners) hereby certify as follows:

(A) Parties and Amici

(i) Parties, Intervenors, and Amici who Appeared in the District Court

This case is a petition for review of final agency action, not an appeal from the ruling of a district court.

(ii) Parties to this Case

Petitioners: Farmworker Association of Florida, Environmental Working Group and Center for Biological Diversity.

Respondents: The United States Environmental Protection Agency (EPA).

Intervenors: No parties have moved for leave to intervene at present.

(iii) Amici in this Case

None.

(iv) Circuit Rule 26.1 Disclosures

Disclosure filed, *see* ECF Doc. #1888440 at 3-4.

(B) Rulings Under Review

Petitioners seek review of Respondent United States Environmental Protection Agency's Order registering the use of the pesticide aldicarb on oranges

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and grapefruit in Florida, as set forth in its “Registration Decision for the Uses on Oranges and Grapefruit in Florida, Aldicarb” (Jan. 12, 2021) (A000001),¹ amendments to the aldicarb product labels for MEYMIK TECHNICAL (EPA Reg. No. 87895-2) (A000020) and AGLOGIC 15GG (EPA Reg. No. 87895-4) (A000028), and registration of a new product, AgLogic 15GG-OG (EPA Reg. No. 87895-7) (A000034).

(C) Related Cases

This case has not previously been before this Court or any other court.

¹ “A” cites are to Petitioners’ consecutively paginated attachments, filed with this Motion. The attachments include documents cited in this Motion and supporting declarations, as well as standing declarations.

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CERTIFICATE OF COMPLIANCE WITH CIRCUIT RULE 18(a)(1)

The undersigned certifies that this Motion for Stay and Expeditious Consideration complies with Circuit Rule 18(a)(1).

Petitioners/Movants previously requested relief from EPA by a letter submitted electronically and in hard copy on March 26, 2021. *See* A000052. Petitioners/Movants provided a copy of that same letter to registrant AgLogic Chemical, LLC via overnight delivery and electronic mail at the contact information listed below:

Antoine Puech, President and CEO
AgLogic Chemical, LLC
121 S. Estes Drive, Suite 101
Chapel Hill, NC 27514
antoinepuech@aglogicchemical.com
info@aglogicchemical.com

Petitioners/Movants met and conferred with Department of Justice counsel for EPA on March 29, 2021. After receiving no formal offer from EPA regarding the stay, Petitioners/Movants filed this motion for relief on April 2, 2021. Notice of this filing was provided by ECF to Respondent and via electronic mail to the counsel for the registrant, Elbert Lin at ELin@hunton.com.

Respectfully submitted this April 2, 2021,

/s/Jonathan Evans

JONATHAN EVANS (DC Cir Bar #53186)

Center for Biological Diversity

1212 Broadway, Suite 800

Oakland, CA 94612

Tel: (510) 844-7100 x318

Fax: (510) 844-7150

jevans@biologicaldiversity.org

STEPHANIE M. PARENT (DC Bar #56357)

Center for Biological Diversity

P.O. Box 11374

Portland, OR 97211

Tel: (971) 717-6404

Fax: (503) 283-5528

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*Attorneys for Petitioners Farmworker
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