

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Bridgewater Dairy, LLC, et al.,

Case No. 3:07 CV 104

Plaintiffs,

ORDER

JUDGE JACK ZOUHARY

-vs-

United States Department of Agriculture,

Defendant.

The Court conducted Status Phone Conferences on January 16 and 17, 2007 regarding Plaintiffs' Motion for a Temporary Restraining Order (TRO) and/or Preliminary Injunction (Doc. No. 3).

Present: Benjamin Yale, Kristine Reed and Ryan Miltner, attorneys for Plaintiffs; Peter Phipps and Nick Oldham, attorneys for Defendant; John Vetne, attorney for soon to be Intervenor.

In lieu of opposing Plaintiffs' Motion for a TRO, Defendant USDA has agreed to delay the Release date of the Interim Final Rule until the February 23, 2007 date.

Both parties consented to the intervention of a group of Intervenors represented by John Vetne. Attorney Vetne will file a Stipulated Order to this effect.

This matter is set for a preliminary injunction hearing on **February 15, 2007, at 9:30 a.m.**

The parties are permitted to file preliminary injunction briefs pursuant to the following schedule:

- Plaintiffs' supplemental brief due **January 23, 2007**
- Defendant's and Intervenors' briefs due **February 2, 2007**
- Plaintiffs' combined reply brief due **February 13, 2007**

Initial briefs are limited to **thirty-five (35) pages**, and Plaintiffs' combined reply brief is limited to **twenty (20) pages**. Additionally, the parties are encouraged to file a Stipulation of Facts.

Any *amicus curiae* that wishes to file a brief may do so pursuant to the following briefing schedule:

- Plaintiff-friendly *amicus* briefs due **February 1, 2007**
- Defendant/Intervenor-friendly *amicus* briefs due **February 8, 2007**

All *amicus* briefs are limited to **ten (10) pages**. *Amicus curiae* are encouraged not to duplicate arguments already made in the briefs of the parties.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

January 17, 2006