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12 ATTORNEYS FOR UNITED STATES

13 **UNITED STATES DISTRICT COURT**  
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
15 **SAN FRANCISCO DIVISION**

16 CENTER FOR FOOD SAFETY,  
17 ORGANIC SEED ALLIANCE, SIERRA  
18 CLUB AND HIGH MOWING ORGANIC  
19 SEEDS,

18 Plaintiffs,

19 vs.

21 THOMAS J. VILSACK,<sup>1</sup> in his official  
22 capacity as Secretary of the United States  
23 Department of Agriculture; and  
24 CINDY SMITH, in her official capacity as  
25 Administrator of the Animal and Plant  
26 Health Inspection Service,

24 Defendants.

Civil Action No 08-0484-JSW

**FEDERAL DEFENDANTS'**  
**STATEMENT OF POSITION**

Date: May 22, 2009  
Time: 9:00 a.m.  
Place: Courtroom 2  
Judge: Hon. Jeffrey S. White

27 <sup>1</sup> Thomas J. Vilsack substitutes as defendant pursuant to Fed.R.Civ.P. 25(d).  
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1 On March 18, 2009, this Court issued an order directing the United States to file a  
2 statement no later the March 26, 2009 advising the Court whether the United States' position had  
3 changed in any respect in light of the change in administration. The United States hereby states  
4 that its position has not changed.

5 Respectfully submitted March 25, 2009.

6 /s/ Lori Caramanian  
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