

**U.S. DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

Valley Meat Company, LLC	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	12-CV-1083-JCG-CG
TOM VILSACK, Secretary	)	
U.S. Department of Agriculture,	)	
	)	
Defendant,	)	
	)	
AL ALMANZA, Administrator,	)	
Food Safety and Inspection Service	)	
U.S. Department of Agriculture	)	
	)	
Defendant.	)	
	)	

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**MOTION TO INTERVENE ON BEHALF OF INTERNATIONAL EQUINE BUSINESS ASSOCIATION, NEW MEXICO CATTLE GROWERS' ASSOCIATION, SOUTH DAKOTA STOCKGROWERS ASSOCIATION, RANCHERS-CATTLEMEN ACTION LEGAL FUND UNITED STOCK GROWERS OF AMERICA, MARCY BRITTON, BILL AND JAN WOOD, LEROY AND SHIRLEY WETZ, AND DOUG AND JUDY JOHNSON**

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COME NOW, Proposed Plaintiff-Intervenors International Equine Business Association, New Mexico Cattle Growers' Association, South Dakota Stockgrowers Association, Ranchers-Cattlemen Action Legal Fund United Stock Growers of America, Marcy Britton, Bill and Jan Wood, LeRoy and Shirley Wetz, and Doug and Judy Johnson by and through their undersigned attorneys Karen Budd-Falen (*pro hac vice* pending) and Kathryn Brack Morrow, of the Budd-

Falen Law Offices, LLC, and hereby request the Court's leave to intervene as of right under Fed.R.Civ.P. 24(a) or, in the alternative, by the Court's permission under Fed.R.Civ.P. 24(b).

Proposed Plaintiff-Intervenors will be significantly impacted by the outcome of this matter because continued delay and inaction by the Food Safety and Inspection Service will potentially prohibit Plaintiff-Intervenors from proceeding with plans to open horse processing facilities and will disrupt Plaintiff-Intervenors' represented businesses and individuals from conducting business with the Valley Meat facility. Additionally, the Proposed Plaintiff-Intervenors will be significantly impacted by the disposition of these issues, since individuals and organizational members suffer the emotional, environmental and economic burdens that accompany the absence of humane methods of horse disposal. Finally, the efforts of the Proposed Defendant-Intervenors (Front Range Equine Rescue and Humane Society of the United States) seeking a resolution to this litigation that would impose an environmental assessment and/or an environmental impact statement for each decision to grant inspection, pursuant to the National Environmental Policy Act, 42 U.S.C. § 4332(C), would potentially result in devastating impacts to the entire humane disposal meat industry.

On February 20, 2013, counsel for Proposed Plaintiff-Intervenors, conferred with counsel for Plaintiff Valley Meat, LLC, regarding this motion. Plaintiff supports this intervention. On February 20, 2013, counsel for Proposed Plaintiff-Intervenors, conferred with counsel for Defendants Tom Vilsack and Al Almanza regarding this motion. Defendants do not take a position on the intervention by Proposed Plaintiff-Intervenors.

A Memorandum of Law in Support of Proposed Plaintiff-Intervenors' Motion as well as a Proposed Complaint is filed on even date herewith.

RESPECTFULLY SUBMITTED this 20th day of February, 2013.

/s/Kathryn Brack Morrow  
Kathryn Brack Morrow  
Karen Budd-Falen (*pro hac vice* pending)  
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**CERTIFICATE OF SERVICE**

I certify that I filed the foregoing document on February 20, 2013 using the ECF System, which will send notification to all parties of record.

/s/Kathryn Brack Morrow  
Kathryn Brack Morrow