

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

November 4, 2013

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

FRONT RANGE EQUINE RESCUE;
THE HUMANE SOCIETY OF THE
UNITED STATES; MARIN HUMANE
SOCIETY; HORSES FOR LIFE
FOUNDATION; RETURN TO
FREEDOM; RAMONA CORDOVA;
KRYSTLE SMITH; CASSIE GROSS;
DEBORAH TRAHAN; BARBARA
SINK; CHIEF DAVID BALD EAGLE;
CHIEF ARVOL LOOKING HORSE;
TANYA LITTLEWOLF; ROXANNE
TALLTREE-DOUGLAS;
FOUNDATION TO PROTECT NEW
MEXICO WILDLIFE; SANDY
SCHAEFER,

Plaintiffs-Appellants,

and

STATE OF NEW MEXICO,

Plaintiff-Intervenor-
Appellant,

v.

TOM VILSACK, Secretary, U.S.
Department of Agriculture; ELIZABETH
A. HAGEN, Under Secretary for Food
Safety, U.S. Department of Agriculture;
ALFRED A. ALMANZA, Administrator,
Food Safety and Inspection Service, U.S.
Department of Agriculture,

Defendants-Appellees,

and

No. 13-2187
(D.C. No. 1:13-CV-00639-MCA-RHS)
(D. N.M.)

RESPONSIBLE TRANSPORTATION, LLC; CONFEDERATED TRIBES AND BANDS OF THE YAKAMA NATION; RAINS NATURAL MEATS; VALLEY MEAT COMPANY, LLC; CHEVALINE, LLC; INTERNATIONAL EQUINE BUSINESS ASSOCIATION; NEW MEXICO CATTLE GROWERS' ASSOCIATION; SOUTH DAKOTA STOCKGROWERS ASSOCIATION; RANCHERS-CATTLEMEN ACTION LEGAL FUND UNITED STOCKGROWERS OF AMERICA; MARCY BRITTON; BILL WOOD; JAN WOOD; LEROY WETZ; SHIRLEY WETZ; DOUG JOHNSON; JUDY JOHNSON; KUJYUKURI, LTD; UNITED HORSEMEN; SCENIC VIEW RANCH,

Defendants-Intervenors-Appellees.

ORDER

Before **PHILLIPS** and **EBEL**, Circuit Judges.

This matter is before the court on Plaintiffs-Appellants' November 4, 2013, Emergency Motion for Injunction Pending Appeal. Defendants-Appellees are hereby ordered to respond to Plaintiffs-Appellants' motion by Thursday, November 7, 2013, by or before 9:00 a.m. MST. Plaintiffs-Appellants are ordered to reply to Defendants-Appellees' response by Friday, November 8, 2013, by or before 5:00 p.m. MST.

Further, in order to provide the court adequate time to consider the matter, we hereby issue a temporary stay of the district court's November 1, 2013, memorandum opinion and order, and we grant temporary injunctive relief pending further order of this court:

1. The Federal Defendants-Appellees are enjoined from dispatching inspectors to the horse slaughterhouse facilities operated by Valley Meat Company, LLC; Responsible Transportation, LLC; and Rains Natural Meats.

2. The Federal Defendants-Appellees are ordered to suspend or withhold the provision of horse meat inspection services to Valley Meat Company, LLC; Responsible Transportation, LLC; and Rains Natural Meats.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", written in black ink over a light blue dotted grid background.

ELISABETH A. SHUMAKER, Clerk