

EXHIBIT A
(RESPONSE TO
EMERGENCY MOTION TO
INCLUDE RAINS IN TRO)

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FRONT RANGE EQUINE RESCUE,)	
<i>et al.,</i>)	
)	
Plaintiffs,)	
v.)	Civ. No. 1:13-cv-00639-MCA-RHS
)	
TOM VILSACK, Secretary,)	
U.S. Department of Agriculture, et al.,)	
)	
)	AFFIDAVIT OF DAVID RAINS
)	IN RESPONSE TO PLAINTIFFS'
)	MOTION FOR TO MODIFY THE
Federal Defendants.)	ORDER ON TRO
)	

I, DAVID RAINS, do hereby attest and swear as follows:

1. I am an Owner and General Manager of Rains Natural Meats ("RAINS") of Gallatin, MO. I am authorized to make statements on behalf of RAINS and my sworn statements herein represent the true and correct facts to the best of my knowledge.

2. RAINS is still currently awaiting the award of a GRANT OF INSPECTION ("GRANT"). RAINS was informed in late July that its grant was imminent and likely to be awarded before the 5th of August 2013. The Grant would entitle RAINS to be supplied inspectors at RAINS's facility in order to conduct the necessary inspections for slaughter and processing of equine animals interstate and international sale for human consumption. In order to obtain the GRANT RAINS complied with all necessary laws regulations and approvals required by USDA FSIS. FSIS has informed RAINS that it had delayed the Grant of Inspection because it was waiting for a waste water discharge permit to be issued by the State of Missouri. However, such a permit was not a federal requirement and should not have acted as an impediment to the issuance of a Grant of Inspection. By August 5, 2013 RAINS was prepared to

begin operations at its lawful business. RAINS inexplicably was not issued a Grant of Inspection before August 5, 2013. Because it had not been issued a Grant of Inspection RAINS was not included in the Orders of the Court enjoining its business nor providing for an injunction bond to cover its losses should such an injunction eventually prove to be incorrectly granted.

3. RAINS continued to wait for its Grand of Inspection. Eventually, by letter on September 1, 2013 RAINS again notified USDA FSIS that there were no impediments to its immediate commencement of work and no impediments to the Grant of Inspection being issued. Clarifying that it would not be discharging waste water in such a manner that the permit from the State of Missouri was necessary to begin operations. RAINS legal counsel from Missouri has subsequent conversations with legal counsel from the Department of Justice that cited because of the TRO that RAINS was also effectively enjoined and would not be receiving its Grant of Inspection. RAINS was still prepared to begin operations on September 1, 2013.

4. The delay from opening over the months August, September and October will cost RAINS the loss of \$300,000.00 (60 days X 20 head per day X \$250.00 (net revenue per head based upon retail values as per RAIN'S marketing plan and existing agreements)) of net revenue loss based upon realized contracts. Any further delay imposed by the Federal Government or the Courts represent very real, extreme, and disastrous harm to RAINS's lawful business.

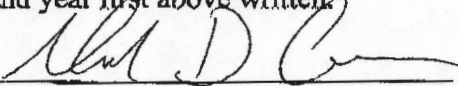
FURTHER AFFIANT SAYETH NOT:

Dated this 19 day of September 2013.

By: David Rains
DAVID RAINS

On this 19th day of September, 2013, before me personally appeared David Rains, to me personally known to be the person described in and who executed the foregoing instrument and acknowledges it to be his free act and deed.

WITNESS my hand and seal on this the day and year first above written.



NOTARY PUBLIC

My Commission Expires: 3-11-17

NICOLE D. GANN
Notary Public - Notary Seal
STATE OF MISSOURI
Daviss County
Commission # 13460728
My Commission Expires: March 11, 2017