

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

FRONT RANGE EQUINE RESCUE,
et al.

Plaintiffs,

vs.

No. 1:13-CV-00639-MCA-RHS

TOM VILSACK, Secretary U.S.
Department of Agriculture, et al.

Defendants.

ORDER REQUIRING POSITION LETTERS

THIS MATTER comes before the Court on referral from the trial court concerning the sole issue of Plaintiffs' ability to post a continuing injunction bond through and until the trial court's decision on a preliminary injunction. The trial court has indicated that this decision will be made in late October, 2013. Upon consideration of the comments by the parties, the Court concludes that position letters are appropriate relative to Plaintiffs' assertion that they cannot afford to pay further bonding expense.

IT IS THEREFORE ORDERED as follows:

1. On or before September 20, 2013, the Plaintiffs and Intervenors Responsible Transportation, LLC and Valley Meat Company, LLC shall address a position letter to the Court regarding the sole issue of whether the Plaintiffs are able to post an injunction bond for the time period from September 1, 2013 through October 31, 2013.
2. These position letters shall be limited to ten (10) pages, single-spaced. The letters may include appropriate legal authority on the limited issued of Plaintiffs' inability to pay to pay for the bond.

3. No additional evidentiary submissions will be allowed or considered.
4. The letters shall be docketed.
5. Nothing contained herein is to be construed as any modification whatsoever of the Order Requiring Injunction Bond (Doc. 102) and the Court will not consider any request for modification in these position letters.

Robert Hayes Scott

ROBERT HAYES SCOTT
UNITED STATES MAGISTRATE JUDGE