

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

FRONT RANGE EQUINE RESCUE,)
THE HUMANE SOCIETY OF THE)
UNITED STATES, MARIN HUMANE)
SOCIETY, HORSES FOR LIFE)
FOUNDATION, RETURN TO)
FREEDOM, ROMONA CORDOVA,)
KRYSTLE SMITH, CASSIE GROSS,)
DEBORAH TRAHAN and BARBARA)
SINK,)

Plaintiffs,)

Cause No: 1:13-cv-00639-MCA-RHS

vs.)

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

Defendants.)

**MOTION TO INTERVENE BY
RESPONSIBLE TRANSPORTATION, L.L.C.**

Responsible Transportation, L.L.C., by counsel Patrick J. Rogers LLC (Pat Rogers) and Simmons Perrine Moyer Bergman PLC (Kevin Visser and Kathleen Kleiman), hereby moves to intervene as a Defendant in the above-captioned action pursuant to Federal Rule of Civil Procedure 24 and as grounds therefore states as follows:

Responsible Transportation timely requests that the Court permit it to intervene as a Defendant in this matter. As evidenced by the Complaint (Dkt #1 at p. 3, ¶7; p. 8, ¶25), Responsible Transportation is a real party in interest in this matter. Responsible

Transportation's ability to protect its interests will be impaired if Plaintiffs' claims succeed and the named Defendants will not adequately represent Responsible Transportation's interests.

Counsel for Responsible Transportation has conferred with Plaintiffs' counsel in this matter and they do not consent to the intervention. Counsel for the United States takes no position and Counsel for Valley Meat Company, LLC does not oppose.

WHEREFORE, for all the foregoing reasons, as more fully set forth in Responsible Transportation's Brief in Support of Motion to Intervene filed contemporaneously herewith, Responsible Transportation respectfully requests the Court's Order permitting it to intervene as a Defendant herein.

Respectfully submitted,
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Pro Hoc Vice applications pending
Attorneys for Responsible Transportation, L.L.C.

CERTIFICATE OF SERVICE

I CERTIFY THAT on this 19th day of July 2013 a true and correct copy of the foregoing was filed through the CM/ECF filing system which shall cause all counsel to receive notification of same.

By: s/ Patrick J. Rogers
Patrick J. Rogers