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**UNITED STATES DISTRICT COURT**  
**District of Minnesota**

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United Food and Commercial Workers Union,  
Local No. 663, United Food and Commercial  
Workers Union, Local No. 440, United Food and  
Commercial Workers Union, Local No. 2,  
United Food and Commercial Workers Union,  
AFL-CIO, CLC,

**JUDGMENT IN A CIVIL CASE**

Plaintiff(s),

v.

Case Number: 19-cv-2660 JNE/TNL

United States Department of Agriculture,

Defendant(s)

Attorneys General of  
Minnesota, California, Illinois,  
Maryland, Massachusetts,  
Michigan, and Virginia, North  
American Meat Institute,  
National Pork Producers  
Council,

Amicus,

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT:

1. Plaintiffs' Motion for Summary Judgment [ECF No. 67] on Count 1 of the Complaint is **GRANTED IN PART** as follows:
  - a. Defendant's Final Rule, Modernization of Swine Slaughter Inspection, is **VACATED** only insofar as it eliminates line speed limits under the New Swine Inspection System.
2. Defendant's Motion for Summary Judgment [ECF No. 87] is **DENIED**.

3. Defendant's Motion for Remand Without Vacatur [ECF No. 40] is DENIED.
4. This case is REMANDED to the United States Department of Agriculture's Food Safety and Inspection Service for further consideration.

Date: 6/30/2021

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KATE M. FOGARTY, CLERK



## UNITED STATES DISTRICT COURT District of Minnesota

Warren E. Burger  
Federal  
Building and U.S.  
Courthouse  
316 North Robert Street,  
Suite 100  
St. Paul, MN 55101  
(651) 848-1100

U.S. Courthouse  
300 South Fourth Street  
Suite 202  
Minneapolis, MN 55415  
(612) 664-5000

Gerald W. Heaney  
Federal Building and  
U.S. Courthouse  
and Customhouse  
515 West First Street,  
Suite 417  
Duluth, MN 55802  
(218) 529-3500

Edward J. Devitt U.S.  
Courthouse and Federal  
Building  
118 South Mill Street,  
Suite 212  
Fergus Falls, MN 56537  
(218) 739-5758

### CIVIL NOTICE

**The appeal filing fee is \$505.00. If you are indigent, you can apply for leave to proceed in forma pauperis, ("IFP").**

The purpose of this notice is to summarize the time limits for filing with the District Court Clerk's Office a Notice of Appeal to the Eighth Circuit Court of Appeals or the Federal Circuit Court of Appeals (when applicable) from a final decision of the District Court in a civil case.

*This is a summary only. For specific information on the time limits for filing a Notice of Appeal, review the applicable federal civil and appellate procedure rules and statutes.*

Rule 4(a) of the Federal Rules of Appellate Procedure (Fed. R. App. P.) requires that a Notice of Appeal be filed within:

1. Thirty days (60 days if the United States is a party) after the date of "entry of the judgment or order appealed from;" or
2. Thirty days (60 days if the United States is a party) after the date of entry of an order denying a timely motion for a new trial under Fed. R. Civ. P. 59; or
3. Thirty days (60 days if the United States is a party) after the date of entry of an order granting or denying a timely motion for judgment under Fed. R. Civ. P. 50(b), to amend or make additional findings of fact under Fed. R. Civ. P. 52(b), and/or to alter or amend the judgment under Fed. R. Civ. P. 59; or
4. Fourteen days after the date on which a previously timely Notice of Appeal was filed.

If a Notice of Appeal is not timely filed, a party in a civil case can move the District Court pursuant to Fed. R. App. P. 4(a)(5) to extend the time for filing a Notice of Appeal. This motion must be filed no later than 30 days after the period for filing a Notice of Appeal expires. If the motion is filed after the period for filing a Notice of Appeal expires, the party bringing the motion must give the opposing parties notice of it. The District Court may grant the motion, but only if excusable neglect or good cause is shown for failing to file a timely Notice of Appeal.