

FILED
 BILLINGS, MT
 2005 JUL 20 AM 9 54
 PATRICK E. JOHANN
 BY *Chris Anderson*
 DEPUTY CLERK

157

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MONTANA
 BILLINGS DIVISION

RANCHERS CATTLEMEN ACTION)
 LEGAL FUND UNITED)
 STOCKGROWERS OF AMERICA,)

CV-05-06-BLG-RFC

Plaintiff,)

vs.)

ORDER VACATING HEARING

UNITED STATES DEPARTMENT OF)
 AGRICULTURE, ANIMAL AND)
 PLANT HEALTH INSPECTION)
 SERVICE, and MIKE JOHANNNS,)
 IN HIS CAPACITY AS THE)
 SECRETARY OF AGRICULTURE,)

Defendants.)

Oral Argument was scheduled for July 27, 2005, wherein this Court would consider whether or not to issue a permanent injunction on the import of cattle from Canada. On July 14, 2005, the Ninth Circuit Court of Appeals reversed the Preliminary Injunction and Order of this Court dated March 2, 2005. The Ninth Circuit Court stated they would expeditiously file their Opinion setting forth the reasoning behind the reversal. To date, no opinion has been filed and, therefore,

IT IS HEREBY ORDERED that oral argument set before this Court on July 27, 2005 is VACATED until further order of the Court. After receipt of the Court of Appeals' Opinion, this Court will determine whether further hearings are necessary.

DATED this 20th day of July, 2005.



RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF MAILING

DATE: 7-20-05

BY: CA

I hereby certify that a copy of this Order was mailed to:

A. Clifford Edwards
Taylor S. Cook
Russell S. Frye
William L. Miller
Peter D. Keisler
Thomas L. Sansonetti
Daniel Meron
William Mercer
Mark Steger Smith
James J. Gilligan
Lisa A. Olson
Marcia Tiersky
Donna S. Fitzgerald