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PATRICK E. DUFFY, CLERK
BY [Signature]
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

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PATRICK E. DUFFY, CLERK
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BILLINGS DIVISION

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

Plaintiff,)

vs.)

UNITED STATES DEPARTMENT OF AGRICULTURE,)
ANIMAL AND PLANT HEALTH INSPECTION)
SERVICE, and ANN M. VENEMAN, IN HER)
CAPACITY AS THE SECRETARY OF AGRICULTURE,)

Defendants.)

.51
CV-04-BLG-RFC
ORDER

UPON STIPULATION of the parties,

IT IS HEREBY ORDERED:

1. The temporary restraining order entered on April 26, 2004, is converted into a preliminary injunction and will expire five days after plaintiff is notified of final agency action (as indicated in paragraph 4, below) on the rulemaking proposed on November 4, 2003, 68 Fed. Reg. 62,386, and reopened on March 8, 2004, 69 Fed. Reg. 10,633.

2. While the preliminary injunction is in effect, the only bovine meat products that can be imported from Canada for human consumption, and in accordance with the required risk mitigation measures, are those identified in the attached Exhibit 1. Ruminant products originating in a BSE-free region or from the United States that are processed in Canada and

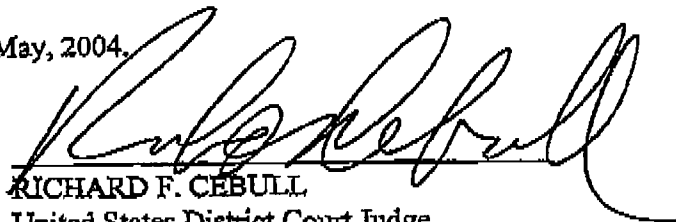
exported to the United States shall not be deemed Canadian products as defined in Exhibit 1, as long as the products are not co-mingled with products from BSE regions.

3. Defendants will provide a status report on the rulemaking process referenced in paragraph 1 every forty-five days until final agency action is published in the Federal Register and will notify the Court and plaintiffs on the date that final agency action goes on display at the Federal Register.

4. Defendants will provide at least five business days' notice to plaintiff prior to filing any motion to modify or dissolve the preliminary injunction.

IT IS FURTHER ORDERED that the May 11, 2004 hearing on plaintiff's application for a preliminary injunction is ~~vacated~~

DATED this 5th day of May, 2004.


RICHARD F. CEBULL
United States District Court Judge