

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

NOLECHEK'S MEATS, INC., *et al.*,

Plaintiffs,

v.

THOMAS J. VILSACK, in his official  
capacity as Secretary of Agriculture, *et al.*,

Defendants.

Case No. 3:21-cv-00762-JDP

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all parties hereby stipulate to the dismissal of the above-captioned case with prejudice. All parties will bear their own fees and costs. In support of this joint stipulation of dismissal with prejudice, the parties state as follows:

1. On March 1, 2022, in a public Special Alert, FSIS cancelled and rescinded Notice 34-21, which forms the underlying basis for this lawsuit brought by the Plaintiffs pursuant to the Administrative Procedure Act.

2. FSIS further explained in the public Special Alert that it was withdrawing its interim final rule regarding Notice 34-21 ("IFR") that was previously submitted for review by the Office of Management and Budget on February 3, 2022.

3. On March 15, 2022, FSIS notified the Plaintiffs in writing that in accordance with the public Special Alert, federal inspection services have been restored to the Plaintiffs' meat establishments. FSIS has also informed Plaintiffs that any prior actions by FSIS withholding the marks of inspection from the Plaintiffs have been rescinded and will have no ongoing effect upon the Plaintiffs' meat establishments.

Dated: March 25, 2022

Respectfully submitted,

By: /s/ Daniel R. Suhr  
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