U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

September 2, 2025

BY ECF

Hon. Margaret M. Garnett
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Northeast Organic Farming Assoc. of N.Y., et al. v. U.S. Dep't of Agriculture*, No. 25 Civ. 1529 (MMG)

Dear Judge Garnett:

This Office represents the United States Department of Agriculture ("USDA" or the "Government") in the above-referenced action brought by Northeast Organic Farming Association of New York, Natural Resources Defense Council, and Environmental Working Group (collectively, "Plaintiffs") under the Administrative Procedure Act ("APA") and the Freedom of Information Act ("FOIA"). The parties write respectfully to provide the Court with a status update, as required by the Court's August 6, 2025 order. *See* ECF No. 37. The parties are continuing to assess whether an amicable resolution is possible and request additional time to further explore the possibility of settlement. Accordingly, the parties respectfully propose submitting another joint status report in 30 days, on October 2.

The parties thank the Court for its attention to this matter.

Respectfully submitted,

JAY CLAYTON
United States Attorney for the
Southern District of New York

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