

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

UNITED STATES OF AMERICA and UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY,

Plaintiffs,

v.

STATE OF VERMONT, et al.,

Defendants,

and

NORTHEAST ORGANIC FARMING ASSOCIATION
OF VERMONT and CONSERVATION LAW
FOUNDATION,

Intervenor-Defendants.

No. 2:25-cv-00463

INTERVENOR-DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY

A federal district court in California recently dismissed, for lack of standing, a complaint filed by the United States against the State of California alleging that a state statute was preempted by federal law. *United States v. California*, No. 2:25-cv-06230-MCS-AGR (C.D. Cal. March 18, 2026) (Att. A). The court held that the United States could not establish sovereign interest standing merely by alleging that a state statute is preempted. *See id.* at *4-7. This recent ruling in *United States v. California* provides further support for Intervenor-Defendants' arguments in this case regarding the United States' lack of standing. *See* Dkt. No. 43-1 at 11-12; Dkt. No. 56 at 16-17; Dkt. No. 68 at 8.

Dated: March 27, 2026

Respectfully submitted,

/s/ Bridget Asay

Bridget Asay

Michael Donofrio

STRIS & MAHER LLP

15 East State Street, Suite 2
Montpelier, VT 05602
Phone: (802) 858-4285
basay@stris.com

*Counsel for Northeast Organic Farming
Association of Vermont*

/s/ Adeline S. Rolnick
Adeline S. Rolnick
Natural Resources Defense Council, Inc.
1152 15th Street, Suite 300
Washington, DC 20005
Phone: (202) 513-6240
arolnick@nrdc.org

Mitchell S. Bernard
Natural Resources Defense Council, Inc.
40 West 20th Street, 11th Floor
New York, NY 10011
Phone: (212) 727-4469
mbernard@nrdc.org

*Counsel for Northeast Organic Farming
Association of Vermont and Conservation
Law Foundation*

/s/ Jennifer Rushlow
Jennifer Rushlow
Conservation Law Foundation, Inc.
15 East State Street, Ste. 4
Montpelier, VT 05602
Phone: (802) 622-3015
jrushlow@clf.org

Counsel for Conservation Law Foundation