

FILED: November 19, 2009

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1878
(1:09-cv-00411-WO-WWD)

NORTH CAROLINA GROWERS' ASSOCIATION, INCORPORATED; NATIONAL CHRISTMAS TREE ASSOCIATION; FLORIDA FRUIT & VEGETABLE ASSOCIATION; VIRGINIA AGRICULTURAL GROWERS ASSOCIATION, INCORPORATED; SNAKE RIVER FARMERS ASSOCIATION; NATIONAL COUNCIL OF AGRICULTURAL EMPLOYERS; NORTH CAROLINA CHRISTMAS TREE ASSOCIATION; NORTH CAROLINA PICKLE PRODUCERS ASSOCIATION; FLORIDA CITRUS MUTUAL; NORTH CAROLINA AGRIBUSINESS COUNCIL, INCORPORATED; MAINE FOREST PRODUCTS COUNCIL; ALTA CITRUS, LLC; EVERGLADES HARVESTING & HAULING, INCORPORATED; DESOTO FRUIT & HARVESTING, INCORPORATED; FOREST RESOURCES ASSOCIATION; TITAN PEACH FARMS, INCORPORATED; H-2A USA, INCORPORATED; OVERLOOK HARVESTING COMPANY, LLC,

Plaintiffs - Appellees

v.

HILDA L. SOLIS, In her official capacity as United States Secretary of Labor; UNITED STATES DEPARTMENT OF LABOR,

Defendants - Appellants

and

JANET NAPOLITANO, In her official capacity as United States Secretary of Homeland Security; UNITED STATES DEPARTMENT OF HOMELAND SECURITY,

Defendants

UNITED FARM WORKERS; JAMES CEASE; MARIO CENTENO-RODRIGUEZ; JUAN CISNEROS-IBARRA; LUIS ENRIQUE CISNEROS-IBARRA; REYMUNDO GUTIERREZ; CARLOS LUIS GUZMAN-CENTENO; JOSE RAUL GUZMAN-CENTENO; ABELARDO HERNANDEZ-AGUAS; GREGORIO HUERTAS-SAMANO; PEDRO IBARRA-AVILA; ATANACIO LUGO-RINCON; OBDULA MALDONADO-ABELLANEDA; MIGUEL

ANGEL OLGUIN-HERNANDEZ; ARTURO OLGUIN-MONROY; OMER A RODRIGUEZ-GUZMAN; DESIDERIO TOVAR-ZAPATA; ALEJANDRO TREJO-LEON,

Intervenor/Defendant

O R D E R

Upon review of submissions relative to the motion for stay pending appeal, the Court denies the motion.

Entered at the direction of Judge Wilkinson with the concurrence of Judge Niemeyer and Judge Shedd.

For the Court

/s/ Patricia S. Connor, Clerk