

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORTH CAROLINA GROWERS')
ASSOCIATION, INC., NATIONAL)
CHRISTMAS TREE ASSOCIATION,)
FLORIDA FRUIT &)
VEGETABLE ASSOCIATION, INC.,)
VIRGINIA AGRICULTURAL GROWERS)
ASSOCIATION, INC., 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, INC.,)
MAINE FOREST PRODUCTS COUNCIL,)
ALTA CITRUS, LLC, EVERGLADES)
HARVESTING & HAULING, INC.,)
DESOTO FRUIT AND HARVESTING,)
INC., FOREST RESOURCES)
ASSOCIATION, TITAN PEACH)
FARMS, INC., H-2A USA, INC.,)
and OVERLOOK HARVESTING)
COMPANY, LLC,)

Plaintiffs,)

v.)

1:09CV411)

HILDA L. SOLIS, in her)
official capacity as United)
States Secretary of Labor,)
UNITED STATES DEPARTMENT OF)
LABOR, JANET NAPOLITANO, in)
her official capacity as)
United States Secretary of)
Homeland Security, and)
UNITED STATES DEPARTMENT OF)
HOMELAND SECURITY,)

Defendants,)

and)

UNITED FARM WORKERS,)
 JAMES CEASE,)
 MARIO CENTENO-RODRIGUEZ,)
 JUAN CISNEROS-IBARRA,)
 LUIS ENRIQUE CISNEROS-IBARRA,)
 REYMUNDO GUTIERREZ,)
 CARLOS LUIS GUZMAN-AVILA,)
 JUAN 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, and)
 ALEJANDRO TREJO-LEON,)
 on behalf of themselves and)
 all others similarly situated,)
)
 Defendant-Intervenors.)

ORDER

Plaintiffs' Complaint contains a request for an award of costs and reasonable attorney fees as to the Department of Labor ("DOL"), Hilda L. Solis in her official capacity as Secretary of DOL, the Department of Homeland Security ("DHS"), and Janet Napolitano in her official capacity as Secretary of DHS (collectively, "the Federal Defendants"). (Compl. (Doc. 1) at 35.) During the summary judgment briefing, Plaintiffs again stated their intention to seek an award of attorney fees as to the Federal Defendants. (Pls.' Reply to Gov. Defs. (Doc. 128) at 1.)

In light of the conclusion of substantive issues in this matter, this court finds no reason to delay consideration of Plaintiffs' request for attorney fees. Accordingly, Plaintiffs are directed to submit such briefs and affidavits as may be appropriate to resolve any claim for attorney fees within thirty (30) days of this Order. The Federal Defendants are granted an opportunity to respond to Plaintiffs' motion, as appropriate, in accordance with the Federal Rules of Civil Procedure and the Local Rules of Practice and Procedure. Plaintiffs may file a reply.

This the 31st day of October 2011.

William L. Ostun, Jr.
United States District Judge