

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

NORTH CAROLINA FARM BUREAU
FEDERATION, INC., *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF LABOR, *et al.*,

Defendants.

Case No. 5:24-cv-00527-FL

DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

Defendants the U.S. Department of Labor (“DOL”), José Javier Rodriguez, in his official capacity as Assistant Secretary of DOL, and Jessica Looman, in her official capacity as Administrator, Wage & Hour Division of DOL, submit this Cross-Motion for Summary Judgment, pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, on the grounds that there is no material question of fact to preclude judgment in favor of Defendants and Defendants are entitled to judgment in their favor on all claims as a matter of law. In support of this Motion, Defendants also file a Combined Memorandum in Opposition to Plaintiffs’ Motion for Summary Judgment and Memorandum in Support of Defendants’ Cross-Motion for Summary Judgment. Defendants respectfully request that this Court enter an order granting summary judgment in favor of Defendants on all counts in Plaintiffs’ Complaint.

DATED: November 22, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

JULIE STRAUS HARRIS
Assistant Branch Director

/s/ Michael P. Clendenen

MICHAEL P. CLENDENEN

MICHAEL J. GAFFNEY

Trial Attorneys

Civil Division, Federal Programs Branch

U.S. Department of Justice

1100 L Street, NW

Washington, DC 20005

Phone: (202) 305-0693

E-mail: michael.p.clendenen@usdoj.gov

Counsel for Defendants