



APPELLATE MOOT COURT COMPETITION

2013 BRIEFING ORDER

DO NOT RISK DISQUALIFICATION! COMPETITORS ARE NOT ALLOWED TO RECEIVE ANY HELP ON THE PROBLEM BEFORE THEIR BRIEF IS SUBMITTED (DUE JANUARY 11, 2013.). PRIOR TO THAT DEADLINE, COMPETITORS MAY NOT DISCUSS THE PROBLEM WITH ANYONE, INCLUDING PROFESSORS, COACHES, STUDENTS, COLLEAGUES, OR ANY OTHER INDIVIDUAL.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

NATIONAL MEAT PRODUCERS
ASSOCIATION,

Appellee,

v.

COMMISSIONER, NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND
MARKETS AND THE NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND
MARKETS,

Appellants.

Case No. CV 11-55440 NCA (ABCx)

BRIEFING ORDER

This matter comes to this Court on the Appellants’ appeal from the judgment entered in the United States District Court for the Southern District of New York, Case No. CV 11-55440 NCA (ABCx). Nathaniel C. Alexander, District Judge, Presiding.

The Commissioner of the New York State Department of Agriculture and Markets and the New York State Department of Agriculture and Markets (“Appellants”) appeal the District Court’s grant of the Appellee’s motion for summary judgment.

Each party is directed to brief the following questions:

1. Is the Meat Consumer Information Act preempted by the Federal Meat Inspection Act?
2. Does the Meat Consumer Information Act exceed congressional authority under the Commerce Clause of the U.S. Constitution?

The parties' briefs shall be limited to these issues, but the parties are not limited in their briefing to the arguments or authority upon which the District Court relied. For the purposes of briefing and arguments, the parties may cite only legal authority dated before September 15, 2012.

IT IS SO ORDERED this 15th day of September, 2012.

Hon. Chelsea M. Dexter
United States Circuit Judge