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
CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA and AMERICAN PETROLEUM INSTITUTE, *Plaintiffs*, and STATE OF WEST VIRGINIA, et al., *Intervenor-Plaintiffs,* v. JULIE MOORE, et al., *Defendants*, and NORTHEAST ORGANIC FARMING ASSOCIATION OF VERMONT and CONSERVATION LAW FOUNDATION, *Intervenor-Defendants.*	No. 2:24-cv-01513

INTERVENOR-DEFENDANTS' MOTION TO DISMISS

Intervenor-Defendants Northeast Organic Farming Association of Vermont and Conservation Law Foundation hereby move pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) to dismiss the Complaints in the above-captioned matters. *See* Compl., *Chamber of Com. v. Moore*, No. 24-cv-1513 (D. Vt. Dec. 30, 2024), ECF No. 1; Intervenor Compl., *Chamber of Com. v. Moore*, No. 24-cv-1513 (D. Vt. May 7, 2025), ECF No. 31; Compl., *United States v. Vermont*, No. 25-cv-463 (D. Vt. May 1, 2025), ECF No. 1. As explained in the accompanying memorandum, the State Plaintiffs and the United States lack standing to assert all their claims and lack a cause of action; all of Plaintiffs' claims are unripe for judicial review; and as to Counts I and II of all three complaints and Count V of the United States' complaint, Plaintiffs fail to state a claim that the Vermont Act is preempted by federal law. A Memorandum of Law supporting this motion is attached separately.

Intervenor-Defendants respectfully request oral argument.

Dated: August 22, 2025

Respectfully submitted,

/s/ Bridget Asay

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