

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 04-1199

September Term, 2004

FILED ON: FEBRUARY 11, 2005 [877194]

JOEL TABACK,

PETITIONER

v.

DEPARTMENT OF AGRICULTURE AND
UNITED STATES OF AMERICA,

RESPONDENTS

On Petition for Review of an Order of the
Department of Agriculture

Before: GINSBURG, *Chief Judge*, and HENDERSON and RANDOLPH, *Circuit Judges*.

J U D G M E N T

This cause was considered on the record compiled before the Secretary of Agriculture and on the briefs of the parties. It is

ORDERED AND ADJUDGED that the petition for review be DENIED for the reasons stated in the judgment of the court issued this date in No. 04-1128. As Mr. Taback makes clear, “the arguments of Post and Taback set forth in its Brief in support of its petition are also the arguments of Joel Taback in support of his petition.”

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

FOR THE COURT:

Mark J. Langer, Clerk

BY: Michael C. McGrail

Deputy Clerk