

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

STATE OF KANSAS, *et al.*

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
LABOR, *et al.*,

Defendants.

Civil Action No. 2:24-cv-76-LGW-BWC

JOINT MOTION TO STAY PROCEEDINGS

The parties jointly move the Court to stay these proceedings in light of recent factual developments that may resolve the present controversy without the need for the parties and the Court to expend further resources.

1. On June 20, 2025, the Department of Labor (“DOL”) issued a press release and Field Assistance Bulletin in which it announced the Wage and Hour Division’s suspension of all enforcement activities under the 2024 Final Rule challenged here. *See U.S. Department of Labor Issues New Guidance to Provide Clarity for Farmers on H-2A Worker Regulations*, Press Release, U.S. DEP’T LABOR (Jun. 20, 2025) <https://www.dol.gov/newsroom/releases/whd/whd20250620> (last accessed July 2, 2025); Field Assistance Bulletin No. 2025-2, U.S. DEP’T LABOR (Jun. 20, 2025) <https://www.dol.gov/sites/dolgov/files/WHd/fab/fab2025-2.pdf> (last accessed July 7, 2025)..

2. On July 2, 2025, DOL published a Notice of Proposed Rulemaking (“NPRM”) entitled *Recission of Final Rule: Improving Protections for Workers in Temporary Agricultural Employment in the United States*. 90 Fed. Reg. 28,919, available at <https://www.govinfo.gov/content/pkg/FR-2025-07-02/pdf/2025-12315.pdf> (last accessed July 2, 2025).

3. The NPRM proposes to rescind most of the provisions of the 2024 Final Rule, including the “worker voice and empowerment” provisions challenged by Plaintiffs. *See id.*

4. Judicial economy is served by holding this case in abeyance until there is final agency action on this rulemaking, since rescission of the 2024 Final Rule, as proposed, would likely resolve the issues in dispute rendering final resolution in this case moot.

5. The parties further request that the Court order the parties to file joint status reports apprising it of the rulemaking’s status every two months until there is final agency action on the rulemaking.

Dated: July 9, 2025

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