

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION**

**WATERKEEPER ALLIANCE, INC.**

**Plaintiff,**

**v.**

**ALAN AND KRISTIN HUDSON FARM,**  
*et al.*

**Defendants.**

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

**Civil Action**

**No. 1:10-cv00487-WDQ**

\*\*\*\*\*

**PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56(a), Plaintiff Waterkeeper Alliance, Inc., by its undersigned counsel, hereby moves the Court to enter summary judgment in its favor against Alan and Kristin Hudson Farm (“Hudson Farm”) and Perdue Farms, Inc. (“Perdue”).

Hudson Farm and Perdue are liable under Sections 301 and 402 of the Clean Water Act (CWA) as owners and/or operators of a Concentrated Animal Feeding Operation located at 9101 Logtown Road in Berlin, Maryland, for discharging pollutants into waters of the United States without a permit. 33 U.S.C. §§ 1311, 1342. There is no genuine issue as to any material fact and the Plaintiff is entitled to summary judgment as a matter of law.

WHEREFORE, as set forth in this Motion, the Plaintiff’s Memorandum of Support for this Motion, and accompanying Exhibits, the Plaintiff now respectfully requests that this Court

grant summary judgment and find Hudson Farm and Perdue liable for their violations of the CWA.

Dated: November 17, 2011.

Respectfully Submitted:

\_\_\_\_\_  
/s/  
Jane F. Barrett  
Federal Bar # 11679  
Christine M. Meyers  
Federal Bar # 29272  
Hajrah Ahmad\*  
Sarah Whitton Corstange\*  
Emily Eisenrauch\*  
Esther Houseman\*  
Courtney Leas\*  
Patrick McDonough\*  
Samantha Perry\*  
Matt Standeven\*  
Alex Taggart-Scarff\*

Environmental Law Clinic  
University of Maryland  
Francis King Carey School of Law  
500 W. Baltimore Street  
Baltimore, MD 21201  
410.706.8074 (o) / 410.706.5856 (f)  
jbarrett@law.umaryland.edu

Chris Nidel  
Admitted *pro hac vice*  
Nidel Law, P.L.L.C.  
1221 15<sup>th</sup> Street, NW.  
Washington, D.C. 20005  
202.558.2030 (o) / 202.232.7556 (f)  
chris@nidellaw.com

Scott Edwards  
Admitted *pro hac vice*  
263 Woodlands Avenue  
White Plains, NY 10607  
914.318.4236  
scott.ed24@gmail.com

Counsel for Plaintiff

\*practicing pursuant to Rule 702 of the Federal Rules

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion, Memorandum in Support of Motion, and Proposed Order were served on this 17<sup>th</sup> day of November, 2011 on the following parties via CM/ECF:

George F. Ritchie,  
Gordon, Feinblatt, Rothman,  
Hoffberger & Hollander, LLC  
The Garrett Building  
233 East Redwood Street  
Baltimore, Maryland 21202  
(gritchie@gfrlaw.com)

Hugh Cropper, IV  
Cowdrey Thompson  
9923 Stephen Decatur Highway, D-2  
Post Office Box 535  
Ocean City, Maryland 21843  
(hcropper@ctklaw.net)

COUNSEL for Defendant Hudson Farm

Michael Schatzow  
(mschatzow@venable.com)  
Thomas M. Lingan  
(tmlingan@venable.com)  
M. Rosewin Sweeney  
(mrsweeney@venable.com)  
Maria Rodriguez  
(merodriguez@venable.com)  
VENABLE LLP  
750 E. Pratt Street, Suite 900  
Baltimore, MD 21202

COUNSEL for Defendant Perdue Farms Inc.

\_\_\_\_\_  
/s/  
Jane F. Barrett