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SaveFarmFamilies.org Applauds Ruling in Favor of Alan and Kristin Hudson in Clean Water Act Lawsuit

Judge rules that Plaintiff has not shown “by a preponderance of the evidence” that the poultry operation on the Hudson Farm has discharged pollutants

Willards, MD (December 20, 2012) – A federal judge in Baltimore, Md., has ruled against out-of-state environmental activists in a case against fourth generation family farmers brought by the New York-based Waterkeeper Alliance, alleging their chicken farm violated the Clean Water Act. SaveFarmFamilies.org applauds the judge’s decision, and calls on Judge Nickerson to award legal costs to the Hudsons and to Perdue Farms, which was also named in the suit. In addition, the Assateague Coastal Trust, Waterkeeper Alliance, and the University of Maryland Environmental Law Clinic should publicly apologize to the Hudsons and to the Maryland taxpayers who unwillingly funded this wasteful lawsuit.

SaveFarmFamilies.org reiterates its call for an end to this litigation. SaveFarmFamilies.org asks the University of Maryland Law School Environmental Law Clinic to stand down and refuse to participate in any appeals by the Waterkeeper Alliance that would waste more Maryland taxpayer dollars.

The Hudson family farm was cleared of any wrong doing by the Maryland Department of the Environment in 2010, yet the Waterkeeper Alliance persisted in the case over a period of close to three years, racking up hundreds of thousands of dollars in legal fees and nearly bankrupting the Hudson family in their misguided campaign to end contemporary agriculture.

In his 50-page ruling Judge Nickerson stated, “When citizen groups take up that mantle, however, they must do so responsibly and effectively. The Court finds that in this action, for whatever reason, Waterkeeper did not meet that obligation.”

“Judge Nickerson’s ruling today reinforced what the Maryland Department of the Environment concluded three years ago: that Alan and Kristin Hudson have not done anything wrong and are not guilty of violating the Clean Water Act,” said Lee Richardson, president of the Wicomico County Farm Bureau and a SaveFarmFamilies.org member. “The Hudsons were unjustly accused in a witch hunt by the Assateague Coastal Trust and the Waterkeeper Alliance and their agenda against modern agriculture.”

According to Richardson, the Assateague Coastal Trust and University of Maryland Environmental Law School were hijacked by radical individuals and an out-of-state extremist group for their own agenda. “The Hudsons are hard-working Maryland family farmers, no different from hundreds of other farmers across the state,” he said. “If the Waterkeepers had been successful, it would have been a travesty.”

Maryland's Eastern Shore has long been associated with the production of wholesome chicken enjoyed around the country, and agriculture has long been one of the state's premier industries, employing 14 percent of its workforce. "The Waterkeeper Alliance had contended in their suit that the Hudsons operated a factory farm, despite the fact that they only have two chicken houses and their land has been farmed by members of the same family for four generations."

Richardson said that there was a complete lack of understanding of common farm practices and that the Waterkeeper Alliance's agenda all along had been clear – to make the Hudsons their scapegoat and essentially put all farmers operating chicken farms across the country out of business. "We are grateful that justice prevailed and common sense won the day. However, we remain concerned that other farmers will suffer the same fate as the Hudsons at the hands of bullies armed with millions of celebrity fueled dollars and an attitude of taking farmers down at all costs, with or without evidence," he said.

The costs associated with fighting a case of this magnitude and the stress that the Hudsons endured while trying to keep their farm operating and provide for their children justifies more than a simple "not guilty" verdict.

"Given the stress and expenses associated with fighting this frivolous lawsuit, which nearly bankrupted an innocent farm family, we feel the Waterkeeper Alliance, the Assateague Coastal Trust and the University of Maryland Environmental Law Clinic all owe the Hudsons, and the Maryland taxpayers who unwillingly funded this wasteful lawsuit, an apology, said Andrew McLean, president of Delmarva Poultry Inc. and a member of SaveFarmFamilies.org. "We are calling on Judge Nickerson to award and legal costs to both the Hudsons and Perdue."

For more information on the lawsuit visit: www.savefarmfamilies.org.

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