

**STATE OF VERMONT**

**SUPERIOR COURT  
FRANKLIN UNIT**

**CIVIL DIVISION  
Docket No. 1-1-20 Frcv**

STATE OF VERMONT, AGENCY OF  
AGRICULTURE, FOOD and MARKETS,  
Plaintiff,

v.

PLEASANT VALLEY FARMS OF  
BERKSHIRE, LLC, MARK ST. PIERRE,  
and AMANDA ST. PIERRE,  
Defendants

**FINAL JUDGMENT ORDER**

Plaintiff, State of Vermont, Agency of Agriculture, Food and Markets, by and through Vermont Attorney General Charity R. Clark, and Mark St. Pierre and Amanda St. Pierre (“Defendants”), by and through their undersigned counsel, have filed a Stipulation for the Entry of Final Judgment Order. Based upon that Stipulation and 6 V.S.A. § 4995, and the Court’s inherent equitable powers, it is **ORDERED:**

1. Pleasant Valley Farms of Berkshire, LLC is dismissed from this matter and is not a Defendant in this Judgment Order.
2. Defendants shall pay a civil penalty of \$20,000. Payment shall be made within 60 days after the Court’s issuance of this Order.
3. Payment of the \$20,000 penalty shall be made through the Office of the Vermont Attorney General’s online payment portal

<https://appengine.egov.com/apps/vt/ago/onlinepayment> or by check payable

to the “State of Vermont” and sent to:

Ryan Kane  
Assistant Attorney General  
Vermont Attorney General’s Office  
109 State Street  
Montpelier, VT 05609

4. In the event Defendants fail to pay this penalty as set forth in the preceding paragraphs, such failure shall constitute a breach of this Order and interest shall accrue on the entire unpaid balance at twelve percent (12%) per annum, beginning on the first day after the entire penalty has become due. Defendants shall be liable for costs incurred by the State, including reasonable attorney’s fees, to collect any unpaid penalty amount.
5. Within 90 days of the date this Order is issued, Defendants shall file a complete application with the Agency of Agriculture, Food and Markets to amend the Large Farm Operations (LFO) Permit for Pleasant Valley Farm, LFO Permit #2000-01-A10, to authorize the Lumbra Farm at 1567 Skunk Hollow Road, Berkshire, Vermont, as part of the Pleasant Valley Farm LFO. Defendants shall pursue the permit application with due diligence and shall provide the Agency with any additional information the Agency determines it needs to process the application within 45 days of the Agency’s request, which may be extended by mutual agreement, if reasonably necessary or if Defendants are unable to meet the 45-day timeframe for reasons beyond their control. Defendants shall comply with all applicable requirements for

LFO permit applicants, including public notice and meeting requirements, and allowing Agency inspections.

6. The violations alleged in the Complaint shall together count as one prior violation for purposes of penalty assessment in any future proceeding against Mark St. Pierre and/or Amanda St. Pierre, individually but not with regard to any entity in which they are a member, director, or shareholder, arising under or related to 6 V.S.A. Chapter 215 and/or 10 V.S.A. Section 1259, including permit proceedings and enforcement actions for administrative and civil penalties.
7. Within 7 days of the date this Order is issued, the parties shall voluntarily dismiss the case titled *In re Lumbra Farm Medium Farm Operation (MFO) Denial*, Docket No. 26-3-18 Vtec.
8. Defendants waive all rights to contest or appeal this Order.
9. Nothing in this Order shall be construed to create or deny any rights for or grant or deny any cause of action to any person not a party to this Order.
10. This Order shall become effective only after it is entered as an order of the Court at which time it shall become final.
11. Any violation of this Order shall be deemed to be a violation of a judicial order and may result in the imposition of injunctive relief and/or penalties, including penalties for contempt, as set forth in 6 V.S.A. Chapters 1 and 215.
12. The State and this Court reserve continuing jurisdiction to ensure future compliance with this Order.

13. Defendants shall not be liable for additional civil or criminal penalties with respect to the specific facts described in the Complaint or in the Stipulation for the Entry of Final Judgment Order, provided that Defendants fully comply with the terms of this Order.
14. Nothing in this Order shall be construed as having relieved, modified, or in any manner affected Defendants' obligation to comply with all federal, state, and local statutes, regulations, permits, and directives applicable to Defendants.
15. This Order may be altered, amended, or otherwise modified only by subsequent written agreement signed by the parties or their legal representatives and approved by this Court. Any representations, whether written or oral, not set forth in this Order shall not be binding upon any party and shall be of no legal force or effect.
16. The Court finds based on the representations of the parties that the parties have negotiated this Order in good faith, that implementation of this Order will avoid prolonged litigation between the parties, and that this Order is fair, reasonable, and in the State's interest.

SO ORDERED and ENTERED as FINAL JUDGMENT.

  
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Superior Court Judge, Civil Division,  
Franklin Unit

July 10, 2023  
Date