



Brothers and Sisters,

Today, the federal court granted the National Grange's motion for summary judgment in the trademark lawsuit. The National Grange brought the case to prevent the McFarland Group from calling themselves a "Grange," because they have long since left the Order. Judge Shubb found for the National Grange on all counts, and ordered that the McFarland Group "shall be permanently enjoined from using marks containing the word 'Grange.'" In other words, Judge Shubb has ruled that the McFarland Group can no longer call itself a Grange because it is no longer part of The Grange.

The federal court's order also makes clear that several things the McFarland Group has been saying are simply wrong. For instance, although the McFarland Group has been telling the courts in both lawsuits that the California State Grange came into existence when it created a corporation in 1946, Judge Shubb found that the California State Grange became a State Grange on July 15, 1873, when the National Grange issued its Charter. (See page 2.) From its very beginnings, then, the California State Grange has been a part of the Order of Patrons of Husbandry and obliged to follow the rules of the Order. Likewise, the McFarland Group claims that the California State Grange was independent of the National Grange after 1873, but Judge Shubb found that the California State Grange held itself out to the public as being part of the National Grange's organization until its Charter was revoked. (See page 13.) And while the McFarland Group claims that the discipline of Robert McFarland for his repeated violation of Grange rules was somehow improper, Judge Shubb found that "[r]egardless of the precise ground for revoking [the California State Grange's] charter, it is not genuinely disputed that [the National Grange] was acting within its rights and in accordance with its bylaws when it revoked [the California State Grange's] charter. [The National Grange] even afforded [the California State Grange] procedural due process, giving [the California State Grange] the opportunity to appeal the decision." (See pages 17-18.)

The full opinion is available [here](#). I strongly encourage you to pour yourself a cup of coffee and sit down and read the whole thing.

Next up on the agenda is the hearing on the motions for summary judgment in the state court lawsuit, currently set for August 7. The trademark lawsuit deals only with the use of the name “Grange,” and Judge Shubb has said that the McFarland Group may not use that name. The state court lawsuit is the one that seeks to ensure that Grange property and assets remain within the Grange. The McFarland Group has sent out messages recently claiming that it would prevail in the state court lawsuit. It also claimed it would prevail in the federal trademark lawsuit. The McFarland Group was wrong regarding the trademark action, and I am confident that it is wrong about the state court lawsuit, as well. The rules of the Order – including the National Grange’s Digest of Laws and the California State Grange’s Constitution and By-Laws – that we all agreed to follow when we joined The Grange are very clear that members may leave The Grange for any reason, but they cannot take Grange property with them. As always, rather than simply listening to the “spin,” I encourage you to read the words on the Charters in your Grange Halls, the Digest of Laws, and the California State Grange Constitution and By-Laws, and decide for yourselves what being part of The Grange entails.

Fraternally yours,

Ed Kowski
President/Master of
The California State Grange
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