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For Immediate Release:

*Additional Options Being Explored as U.S. Supreme Court
Declines to Hear Drakes Bay Oyster Farm Challenge
However, Important Victory in California Buys Hopes*

INVERNESS, CALIF. — The U.S. Supreme Court has declined to grant Drakes Bay Oyster Company’s Petition for Certiorari, meaning that the high court will not hear the case.

“We are not yet out of options,” said Kevin Lunny, owner of Drakes Bay Oyster Farm. “While we had hoped the Supreme Court would grant our cert petition requesting a review of the Ninth Circuit’s ruling, our Federal case against the government now returns to the District Court, where we will be making decisions over the next few weeks about how to proceed. We are extremely grateful to our customers and supporters for everything they have done for our family and our workers’ families over the years.”

On Friday, in a California legal challenge, Drakes Bay Oyster was vindicated in its fight against unjust enforcement orders imposed last year by the California Coastal Commission. The Marin County Superior Court overturned those orders in every significant respect, finding that the Commission’s unfair process was an abuse of discretion and a violation of environmental law.

The enforcement orders were based on false allegations for which there was no evidence. Before a hearing last February, expert evidence disproving the allegations was provided by the Lunnys, but the Commission voted to exclude all the evidence the Lunnys presented in their own defense.

Drakes Bay's victory against the Coastal Commission is separate from its suit against the National Park Service, which the U.S. Supreme Court declined to hear today.

About Drakes Bay Oyster Company

The historic oyster farm in Drakes Estero, located in Point Reyes, Marin County, has been part of the community for nearly 100 years. The Lunnys, a fourth-generation Point Reyes ranching family, purchased the oyster farm in 2004. Modern environmentalists and proponents of sustainable agriculture praise Drakes Bay Oyster as a superb example of how people can produce high-quality food in harmony with the environment. The farm produces approximately one third of all oysters grown in California, and employs 30 members of the community. The Lunnys also contribute the oyster shells that make possible the restoration of native oysters in San Francisco Bay and the oyster shells used to create habitat for the endangered Snowy Plover and Least Tern. As the last oyster cannery in California, Drakes Bay is the only local (and thus the only safe and affordable) source of these shells. The Lunny family is proud of its contributions to a sustainable food model that conserves and maintains the productivity of the local landscapes and the health of its inhabitants. For more information, please visit www.drakesbayoyster.com and www.savedrakesbay.com