

In re: Syngenta Litigation

This Document Relates to: ALL ACTIONS

Case Type: Civil Other
Honorable Thomas M. Sipkins

File No.: 27-CV-15-3785

SCHEDULING ORDER NO. 1

It is hereby ORDERED that the following schedule shall apply to the initial phase of this case:

Filing of Consolidated Master Complaints and Responsive Pleadings

1. Plaintiffs shall file and serve a consolidated master complaint[s] no later than October 2, 2015. The Court understands that there may be one consolidated master complaint by non-producer plaintiffs and one consolidated master complaint by producer plaintiffs.

2. Plaintiffs shall complete service on all Defendants who have not yet been served by no later than 60 days after Plaintiffs' filing of consolidated master complaints. Claims against Defendants who have not been properly served shall be dismissed unless good cause exists to extend the service deadline.

3. Any plaintiff wishing to join in one of the consolidated master complaints shall file a notice to conform. On or before October 9, 2015, the parties shall meet and confer on a form of notice to conform and a deadline for plaintiffs to file said notice to conform, and shall submit a joint or competing proposals to the Court by October 16, 2015.

4. Provided that Defendants are properly served as set forth in paragraph 2, the following schedule shall govern Defendants' anticipated motions to dismiss:

- a. Defendants shall file their motions to dismiss the consolidated master complaints on or before November 9, 2015;
- b. Plaintiffs shall file their consolidated opposition to Defendants' motions to dismiss the consolidated master complaints on or before December 1, 2015;
- c. Defendants shall file their replies in support of their motions to dismiss the consolidated master complaints on or before December 22, 2015;
- d. The Court shall conduct a hearing on Defendants' motions to dismiss the consolidated master complaints on January 8, 2016 at 9:00 a.m.

5. The parties will meet and confer on the page limits to apply for the various motions to dismiss and file a proposed stipulation and order with the Court for its review and approval.

6. To the extent necessary, the parties will meet and confer to establish a separate briefing schedule as to any non-conforming complaints.

7. The foregoing provisions in paragraphs 4-6 above shall not apply to claims brought by plaintiffs who do not reside in one of the 22 states currently at issue in the federal MDL, as explained below.

Stipulated Deferral Of Claims Originating From Certain States

8. The actions that are pending before this Court and that may be filed in this Court in the future (the "Minnesota Consolidated Proceeding") concern the same subject matter as a federal proceeding captioned *In re Syngenta AG MIR 162 Corn Litigation*, MDL Docket No. 2591 (the "MDL Proceeding"), that is pending before the Hon. John W. Lungstrum in the United States District Court for the District of Kansas (the "MDL Court").

9. The Minnesota Consolidated Proceeding and the MDL Proceeding both include plaintiffs from the following 22 states (the “MDL States”): Minnesota, Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

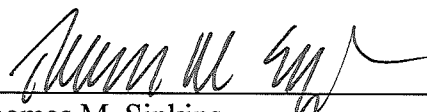
10. The overwhelming majority of the current and anticipated plaintiffs in the Minnesota Consolidated Proceeding hail from the MDL States. Plaintiffs anticipate that the Minnesota Consolidated Proceeding will include a small number of plaintiffs from all 28 additional states.

11. The parties stipulate and the Court hereby finds that initially focusing on the cases brought by plaintiffs who reside in the MDL States will further the just and efficient disposition of this litigation and therefore the circumstances presented by the Minnesota Consolidated Proceeding warrant the adoption of certain procedures to manage these litigations.

12. As a result, all proceedings in cases (currently pending and future-filed) brought by plaintiffs who do not reside in one of the 22 states currently at issue in the federal MDL are deferred pending further Order of this Court.

SO ORDERED this 25 day of September, 2015

BY THE COURT:



Thomas M. Sipkins
Judge of District Court