

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

In re: Syngenta Litigation

Case Type: Civil Other
Honorable Thomas M. SipkinsThis Document Relates to: ALL ACTIONS[†]

Court File No.: 27-cv-15-3785

**SYNGENTA'S NOTICE OF MOTION
AND RULE 12.03 MOTION FOR
PARTIAL JUDGMENT ON THE
PLEADINGS****TO: Plaintiffs and their counsel:****Daniel E. Gustafson, Gustafson Gluek PLLC, Canadian Pacific Plaza - Suite 2600,
120 South 6th Street, Minneapolis, MN 55402****William R. Sieben, Schwebel Goetz & Sieben, P.A., IDS Center - Suite 5120,
80 South 8th Street, Minneapolis, MN 55402****Lewis A. Remele, Jr., Bassford Remele PA, 33 South Sixth Street, Suite 3800,
Minneapolis, MN 55402-3707****Francisco Guerra IV, Watts Guerra LLP, Building 3 - Suite 100, Four Dominion
Drive, San Antonio, TX 78257**

PLEASE TAKE NOTICE that on Friday, February 3, 2017 at 9:00 a.m. at the Hennepin County Government Center in Minneapolis, Minnesota, before the Honorable Thomas M. Sipkins, Judge of the Hennepin County District Court, Defendants Syngenta AG, Syngenta Crop Protection AG, Syngenta Crop Protection, LLC, Syngenta Corporation, Syngenta Seeds, Inc. (now Syngenta Seeds, LLC), and Syngenta Biotechnology, Inc. will move the Court for an Order granting partial judgment on the pleadings and dismissing the Second Amended

[†] Pursuant to this Court's Scheduling Order No. 1, this Motion for Partial Judgment on the Pleadings applies to all claims brought by Plaintiffs who reside in one of the 22 States currently at issue in the federal MDL, with proceedings in all other cases deferred.

Non-Class and Second Amended Minnesota Class Action Master Complaints pursuant to Minn.
R. Civ. P. 12.03

The motion will be based on all the files, records, and proceedings herein, as well as memoranda, supporting affidavits, and exhibits to be served and filed in accordance with Rule 115.03 of the Minnesota General Rules of Practice, and arguments of counsel.

Dated: November 23, 2016

Respectfully submitted,

MASLON LLP

By: /s/ David T. Schultz
David T. Schultz (#169730)
D. Scott Aberson (#0387143)
3300 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402
Telephone: 612-672-8200
Facsimile: 612-672-8397
E-mail: david.schultz@maslon.com
scott.aberson@maslon.com

KIRKLAND & ELLIS LLP

Michael D. Jones (*pro hac vice*)
Edwin John U (*pro hac vice*)
Patrick F. Philbin (*pro hac vice*)
Ragan Naresh (*pro hac vice*)
Patrick Haney (*pro hac vice*)
Suite 1200
655 15th Street Northwest
Washington, DC 20005
Telephone: 202-879-5000
Facsimile: 202-879-5200
E-mail: mjones@kirkland.com
edwin.u@kirkland.com
patrick.philbin@kirkland.com
ragan.naresh@kirkland.com
patrick.haney@kirkland.com

ATTORNEYS FOR SYNGENTA DEFENDANTS