

*IN RE: SYNGENTA AG MIR162 CORN
LITIGATION*

THIS DOCUMENT RELATES TO:
ALL CASES

Master File No. 2:14-MD-02591-JWL-JPO

U.S. District Court For The District Of Kansas
MDL No. 2591

In re: Syngenta Litigation

This Document Relates to: ALL ACTIONS

Case Type: Civil Other
Honorable Thomas M. Sipkins

Minnesota District Court (Hennepin), Fourth
Judicial District File No.: 27-CV-15-3785

40th Judicial District Court For The Parish Of St. John The Baptist, State Of Louisiana
Case No.: 67,061 | Division "A"
Cargill, Incorporated, *et al.* v. Syngenta AG, *et al.*

29th Judicial District Court For The Parish Of Saint Charles, State Of Louisiana
Civil Docket No.: 79,219 | Division "C"
Archer Daniels Midland Company v. Syngenta Corporation, *et al.*

**DEFENDANTS' CROSS-NOTICE OF DEPOSITIONS OF MDL PRODUCER
PLAINTIFFS (JANUARY 2016) IN ALL COORDINATED ACTIONS**

PLEASE TAKE NOTICE that defendants hereby cross-notice the depositions listed in Exhibit 1. The depositions will be taken before a person authorized by law to administer oaths and will proceed in accordance with the Federal Rules of Civil Procedure. The depositions shall continue from day to day until completed. These depositions will be videotaped, and defendants provide notice to plaintiffs and other parties to this litigation that such depositions may be used at the time of trial.

Dated: December 24, 2015

Respectfully submitted,

/s/ Michael D. Jones

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Edwin John U (*pro hac vice*)

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Counsel for Defendants

CERTIFICATE OF SERVICE

The undersigned attorney for Defendants hereby certifies that a copy of the foregoing Cross-Notice Of Depositions Of MDL Producer Plaintiffs (January 2016) In All Coordinated Actions was served on counsel of record in all Coordinated Actions via the Minnesota Judicial Branch e-Filing System.

/s/ Patrick Haney

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Dated: December 24, 2015

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

*IN RE: SYNGENTA AG MIR162 CORN
LITIGATION*

THIS DOCUMENT RELATES TO:

ALL CASES

Master File No. 2:14-MD-02591-JWL-JPO

MDL No. 2591

**SYNGENTA'S NOTICE OF INTENTION TO TAKE
VIDEOTAPED ORAL DEPOSITIONS OF
PRODUCER PLAINTIFFS (JANUARY 2016)**

PLEASE TAKE NOTICE THAT, Defendant Syngenta will take videotaped oral depositions of the following plaintiffs:

Date of Deposition	Plaintiff	Deposition Location
Jan. 5, 2016	J3B Partnership*	Des Moines, IA
Jan. 6, 2016	Bottoms Farms Partnership*	St. Louis, MO
Jan. 6, 2016	Noonan Farms, Inc.*	Des Moines, IA
Jan. 7, 2016	Kaffenbarger Farms, Inc.*	Springfield, OH
Jan. 7, 2016	Wright Brothers Partnership*	St. Louis, MO
Jan. 8, 2016	Mike DaVault	St. Louis, MO
Jan. 8, 2016	Haerr Grain Farms*	Springfield, OH
Jan. 8, 2016	HGF Irrigated*	Springfield, OH
Jan. 8, 2016	Three H Farms LLC*	Springfield, OH
Jan. 12, 2016	John Anderson	Sioux Falls, SD
Jan. 12, 2016	David Schwaninger	Lincoln, NE
Jan. 12, 2016	James Shortt Trust*	Manhattan, KS
Jan. 13, 2016	Chad Murphy	Sioux Falls, SD

Jan. 13, 2016	Martin & Patricia Petska	Ord, NE
Jan. 15, 2016	Steven and John S. Cap	Bon Homme Co., SD
Jan. 19, 2016	Ivan Woltemath	Maryville, MO
Jan. 20, 2016	Glenn Bix	Maryville, MO
Jan. 21, 2016	Bieber Farm*; Rolling Ridge Ranch, LLC*	Kansas City, MO
Jan. 22, 2016	Dierking Farms*	Kansas City, MO
Jan. 26, 2016	McDonald AG*	Decatur, IL
Jan. 26, 2016	Claas Farms*	Columbia, MO
Jan. 26, 2016	McKee Family Farms*	Chillicothe, OH
Jan. 27, 2016	Five Star Farms*	Dodge City, KS
Jan. 27, 2016	Steven A. Wentworth	Decatur, IL
Jan. 27, 2016	Partners 5 LLC*	Columbus, OH
Jan. 28, 2016	Gregory Harris	Kansas City, MO
Jan. 28, 2016	Mark Fischer	Dodge City, KS

- Depositions set for Kansas City, MO will be held at Walters Bender Strohbahn & Vaughan, P.C., 2500 City Center Square, 1100 Main, Kansas City, MO 64105.
- Depositions set for St. Louis, MO will be held at Gray, Ritter & Graham, P.C., 701 Market Street, Suite 800, St. Louis, MO 63101.
- Depositions set for Springfield, OH will be held at Martin, Browne Hull & Harper PLL, One S. Limestone Street, Suite 800, Springfield, OH 45501.
- Depositions set for Decatur, IL will be held at Bolen Robinson & Ellis, LLP, 202 S. Franklin, 2nd Floor, Decatur, IL 62523.
- Depositions set for Bon Homme Co., South Dakota will be held at Bon Homme Co. Courthouse, 300 W. 18th Avenue, Tyndall, SD 57066.
- Depositions set for Ord, NE will be held at Kruml Law Office, 1501 M Street, Ord, NE 68862.

- Depositions set for Little Rock, AR will be held at Emerson Scott LLP, The Rozelle-Murphy House, 1301 Scott Street, Little Rock, AR 72202.
- Depositions set for Lincoln, NE will be held at Vincent M. Powers and Associates, 411 S. 13th St. #300, Lincoln NE 68508.
- Depositions set for Dodge City, KS will be held at Rebein Bangerter Rebein, 810 Frontview, Dodge City, KS.
- Depositions set for Sioux City, IA will be at the Lundberg Law Firm PLC, 600 4th Street, Suite 906, Sioux City, IA 51101.
- The specific addresses for the depositions set for Des Moines, IA, Sioux Falls, SD, Maryville, MO, Manhattan, KS, Columbia, MO, Chillicothe, OH, and Columbus, OH will be made available in an amended deposition notice.

Those depositions marked with an asterisk will proceed pursuant to Federal Rule of Civil Procedure 30(b)(6). Those plaintiffs shall designate one or more officers, directors, managing agents, or other persons who are knowledgeable about, and who consent to testify on that plaintiff's behalf, with respect to what is known or reasonably available to that plaintiff concerning each of the topics of examination set forth in the attached Exhibit A.

The depositions not marked with an asterisk shall proceed pursuant to Rule 30(b)(1).

If the deposition does not conclude on the date specified above, the deposition shall be continued from day to day or upon such adjourned date as may be agreed upon by the parties, until completed. The deposition will be taken before and transcribed by a certified court reporter who is authorized by law to administer oaths. Testimony will be taken via stenographic and videotaped means for all purposes permitted by the Federal Rules of Civil Procedure.

Dated: December 24, 2015

/s/ Thomas P. Schult

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LEAD COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

I certify that on December 24, 2015, I electronically filed the foregoing with the Clerk of this Court by using the CM/ECF system, which will accomplish service through the Notice of Electronic Filing for parties and attorneys who are Filing Users.

/s/ Thomas P. Schult

Thomas P. Schult

EXHIBIT A

1. Plaintiff's corporate and organizational structure, which includes, but is not necessarily limited to, plaintiff's corporate form and workforce, from Marketing Year 2010 to the present.
2. The crops grown and livestock raised on land farmed by plaintiff, which includes, but is not necessarily limited to, the quantity, variety, and brand of seeds planted, from Marketing Year 2010 to the present.
3. The corn yields realized on land farmed by plaintiff, from Marketing Year 2010 to the present.
4. Plaintiff's use of corn on-farm for, for example, feeding livestock or ethanol production, from Marketing year 2010 to the present.
5. The practices undertaken on land farmed by plaintiff to prevent cross-pollination or commingling of corn varieties, from Marketing Year 2010 to the present.
6. Plaintiff's testing for the presence of genetically modified corn traits, from Marketing Year 2010 to the present.
7. Plaintiff's sales of harvested corn, from Marketing Year 2010 to the present, which includes, but is not necessarily limited to, the pricing and marketing of plaintiff's corn, from Marketing Year 2010 to the present.
8. Plaintiff's knowledge of where its harvested corn was sold—*i.e.*, in domestic versus international markets—and the disposition of plaintiff's harvested corn by each purchaser of its corn, from Marketing year 2010 to the present.
9. Plaintiff's storage of corn or options for storing corn, from Marketing year 2010 to the present.
10. Plaintiff's farming practices, which includes, but is not necessarily limited to, its planting, cultivation, and harvesting practices, from Marketing Year 2010 to the present.
11. The risk mitigation efforts, if any, that plaintiff undertook to protect against a drop in the price of corn, which includes, but is not necessarily limited to, purchasing insurance or trading derivatives, from Calendar Year 2010 to the present.
12. Plaintiff's financial records and practices, which includes, but is not necessarily limited to, profits, revenues, and subsidy payments, from Calendar Year 2010 to the present.
13. Plaintiff's crop insurance and any payments therefrom, from Calendar Year 2010 to the present.

14. Plaintiff's knowledge of Viptera and Duracade corn seed, which includes, but is not necessarily limited to, plaintiff's awareness of the regulatory approval status of MIR162 and Event 5307 in the United States and China from November 2008 to present and any statements by Syngenta regarding such approval status.

15. Communications involving plaintiff regarding Viptera or Duracade corn seed.

16. Plaintiff's business relationships with third parties, such as grain elevators and exporters, allegedly disrupted by Syngenta, and how they have changed since November 1, 2013.

17. Plaintiff's knowledge of and reliance on any purported misrepresentations by Syngenta.

18. Plaintiff's alleged damages and harm as set forth in plaintiff's operative complaint.

DEFINITIONS

1. The term "**Marketing Year**" shall refer to the 12-month period of time preceding August 31st of the referenced year, and the term "**Calendar Year**" shall refer to the 12-month period of time beginning January 1 and ending December 31 for the referenced year.