

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

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IN RE: Syngenta AG MIR162)	MDL No: 2591
Corn Litigation)	
)	Case No: 14-md-2591-JWL-JPO
)	
(This Document Relates to All Cases))	
)	

ORDER

On May 27, 2015, the Court conducted a status conference in the above listed case.

After consultation with counsel, the Court entered the following orders:

1. By agreement of the parties and the Court and pursuant to the Memorandum and Order (doc. 395) filed on May 5, 2015, the cases listed in Exhibits A and B to the Joint Response to Order and Order to Show Cause (doc. 417) are hereby remanded to the state courts in which they were originally filed. Upon the transfer to this MDL proceeding after the date of this order of any case which is subject to remand, including those listed in Exhibit C to the Joint Response, the defendants shall file a notice with the Court setting forth the agreement to remand no later than 2 weeks after the transfer to the District of Kansas.

2. With respect to cases involving defendant Interstate Grain Corp., Case Nos: 15-2911 and 15-2912, the Court orders the following deadlines:

Motion to Remand filing date	June 5, 2015
Defendants' Response/ Motion to Dismiss filing date	June 19, 2015
Plaintiffs' Reply to Response to Motion to Remand and Response to Motion to Dismiss filing date	June 26, 2015
Defendants' Reply to Response to Motion to Dismiss filing date	July 6, 2015

3. As to the Amended Complaint filed by plaintiffs' D&D Olson Farms, Inc., et al., filed in Case No: 15-2906, the defendants' response deadline is extended until further order of the Court.
4. The defendants' response deadline as to the Milo Producer Plaintiffs' Master Complaint is as follows:

Defendants' Response /Motion to Dismiss filing deadline	July 21, 2015
Plaintiffs' Response deadline	August 4, 2015
Defendants' Reply deadline	August 11, 2015

5. On April 29, 2015, the Court issued an Order Approving Notices to Conform (doc. 386). The Court orders the following filing deadlines for Notices to Conform:

Any case filed by June 5, 2015	June 12, 2015
Any case filed after June 5, 2015	30 days after filing of case in this court

6. As to cases filed by June 5, 2015 by plaintiffs that do not file Notices to Conform, the Court sets the following deadlines:

Motions to dismiss filing date	July 10, 2015
Response deadline	July 31, 2015
Reply deadline	August 7, 2015

7. As to cases filed after June 5, 2015 by plaintiffs that do not file notices to conform, the Court sets the following deadlines:

Motions to dismiss filing date	50 days after filing of case in this court
Response deadline	14 days after filing of motion
Reply deadline	7 days after filing of response

8. Pursuant to the Scheduling Order No. 1 (doc. 123) the following deadlines are set as to filing of motions to dismiss as to Producers and Non Producers Amended Complaints:

Motions to dismiss filing date (30 page page limit is waived to the extent that the defendants may file a combined brief with a 60 page limit regarding argument)	June 19, 2015
Response deadline	July 20, 2015
Reply deadline	August 10, 2015

9. Oral argument on motions to dismiss the master class-action complaints filed by producer plaintiffs, non-producer plaintiffs, and milo plaintiffs is scheduled for **Friday, August 21, 2015 at 10:00 a.m.** in Courtroom #643, Robert J. Dole United States Courthouse, 500 State Avenue, Kansas City, Kansas. The Court will allow interested parties and counsel to listen in via telephone at this hearing, but participants by phone will be not be allowed to speak at the hearing. The Court will impose the following time limits for oral argument:

Defendants	30 minutes
Plaintiffs Co-Lead Counsel	45 minutes
Defendants	15 minutes

10. The Court will conduct an in court status conference on **August 21, 2015** immediately following the conclusion of oral argument on the motions to dismiss the master complaints. Plaintiffs' Co-Lead Counsel and Defendants' Counsel shall submit a status report including any suggested topics for discussion at the status conference by **August 18, 2015**.
11. Co-Lead Counsel shall submit to the Court by **June 26, 2015** a revised proposed Common Benefit Order, including in red-line form. Provided there are no changes from the immediately preceding version other than those directed by the Court, the Court will entertain no new objections not previously made by the date of this order.

12. The Motion by the Phipps and Watts law firms for leave to file under seal (doc. 434) is **denied**, and movants are free to file in the public record **no later than seven (7) days after the submission referred to in paragraph 11** their motion to remove references to them from a Common Benefit Order should they desire to file such a motion.
13. With respect to service of the Milo Producer Plaintiffs' Master Complaint on foreign defendants, Syngenta shall notify plaintiffs' Co-Lead Counsel by **June 10, 2015**, whether Syngenta will require service of process under the dictates of the Hague Convention.
14. The parties reported that they are continuing to meet and confer about the deadline for the filing of plaintiff fact sheets. In the hopefully unlikely event that the parties cannot reach an agreement, they shall file a joint motion requesting the Court's intervention. The motion shall be filed by **June 12, 2015**, and shall be limited to ten double-spaced pages.

IT IS SO ORDERED.

Dated this 29th day of May, 2015, at Kansas City, Kansas.

s/ John W. Lungstrum

JOHN W. LUNGSTRUM
UNITED STATES DISTRICT JUDGE

and

s/ James P. O'Hara

JAMES P. O'HARA
UNITED STATES MAGISTRATE JUDGE