

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

**IN RE: Syngenta AG MIR162
Corn Litigation**

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) **MDL No: 2591**

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) **Case No: 14-md-2591-JWL-JPO**

(This Document Relates to All Cases)

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ORDER REGARDING SETTLEMENT STATUS REPORT

Several lawsuits have been filed in multiple federal and state courts arising from Syngenta’s development and sale of corn seeds containing genetically modified traits known as MIR 162 and Event 5307 before China’s approval to import corn with those traits. These include:

- **The multidistrict litigation (“MDL”) proceeding in the United States District Court for the District of Kansas, MDL No. 2591, before U.S. District Judge John W. Lungstrum and U.S. Magistrate Judge James P. O’Hara;**
- ***Tweet et al v. Syngenta AG et al*, No. 3:16-cv-00255, and *Poletti et al v. Syngenta AG et al*, No. 3:15-cv-01221, pending in the United States District Court for the Southern District of Illinois before U.S. District Judge David. R. Herndon; and**
- ***In re Syngenta Litigation*, No. 27-cv-15-3785, pending in the Minnesota Fourth Judicial District Court before Judge Laurie Miller.**

The above-mentioned courts all appointed Ellen K. Reisman as Special Master for Settlement.

On June 23, 2017, the United States District Court for the District of Kansas entered a judgment following a class jury verdict in favor of Plaintiffs in the Kansas class action. On August 9, 2017, the United States District Court for the District of Kansas and United States District Court

for the Southern District of Illinois and the Minnesota Fourth Judicial District, Hennepin County District Court issued orders appointing a Plaintiffs' Settlement Negotiation Committee to work toward a fair and expeditious resolution of the above-captioned lawsuits and related litigation pending in those courts and Illinois state court. On September 11, 2017, the Minnesota class trial began before Judge Miller. On September 25, 2017, Settlement Counsel for Plaintiffs and Syngenta entered into an agreement on broad terms of settlement, and the jury in the Minnesota class trial was dismissed.

On December 19, 2017, a mandatory settlement conference was held in the United States District Court for the District of Kansas before Judges Lungstrum, Herndon, and Miller. On January 25, 2018, a subsequent mandatory settlement conference was held in the Minnesota Fourth Judicial District, Hennepin County District Court before Judges Miller, Lungstrum, and Herndon. The judges have consulted and agreed that a subsequent mandatory settlement conference may be necessary and appropriate.

Accordingly, it is hereby ORDERED as follows:

1. Special Master Reisman shall provide a written report to the Court via email **on February 22, 2018**, on the progress of finalization of settlement documentation with respect to the agreement entered into on September 25, 2017.
2. If the settlement documentation is not finalized to the satisfaction of Judges Lungstrum, Herndon, and Miller by **February 22, 2018**, a mandatory settlement meeting shall be held in **Conference Room 659 in the United States District Court for the District of Kansas beginning at 9:00 a.m. on February 26, 2018**, and continuing from day-to-day thereafter.
3. The following persons shall attend the mandatory settlement meeting in person: Special Master Reisman, Settlement Counsel for Syngenta, all members of the Plaintiffs' Settlement

Negotiation Committee (Christopher A. Seeger, of Seeger Weiss LLP; Mikal Watts, of Watts Guerra LLP; Clayton A. Clark, of Clark, Love & Hutson, GP; and Daniel E. Gustafson, of Gustafson Gluek PLLC), and Patrick J. Stueve, of Stueve Siegel Hanson, LLP representing the Multidistrict Litigation Class Co-Lead Counsel (the “Required Parties”).

4. At the mandatory settlement meeting, the Required Parties will be directed to continue finalization of the settlement documentation. The Required Parties should come prepared for evening work. The settlement meeting will continue from day-to-day until the settlement documentation is finalized to the satisfaction to the Court or the Court determines that the settlement meeting should otherwise conclude.

IT IS SO ORDERED.

Dated this 30th day of January, 2018 at Kansas City, Kansas.

s/ John W. Lungstrum

JOHN W. LUNGSTRUM

UNITED STATES DISTRICT JUDGE