
The Tenth Circuit Denies Syngenta's Attempt to Appeal the Order Granting Class Certification

December 8, 2016

On September 26, 2016, the District Court for the District of Kansas granted the motion for class certification filed by Co-Lead Counsel in the MDL litigation. In a 33 page decision, the Court granted this motion and certified a nationwide class and eight state classes (Arkansas, Illinois, Iowa, Kansas, Missouri, Nebraska, Ohio, and South Dakota) of corn farmers. The Court additionally appointed Co-Lead Counsel in the MDL litigation, Don M. Downing, Patrick J. Stueve, Scott Powell, and William Chaney, as class counsel.

On October 11, 2016, the Syngenta Defendants filed a Rule 23(f) Petition for Permission to Appeal Class Certification Order, seeking leave to appeal this class certification order prior to trial. On December 7, 2016, the United States Court of Appeals for the Tenth Circuit [denied Syngenta's Rule 23\(f\) Petition](#) finding in part that the District Court's "rulings in the order granting class certification are well-researched and reasoned" [Read the ruling [here](#)]

The MDL Court has approved notice to be distributed via U.S. Mail to corn farmers who may be members of the certified nationwide and eight state classes. Co-Lead Counsel anticipate that this notice will be mailed before the end of 2016.

The nationwide and the Kansas classes are set for trial beginning on June 5, 2017, in Kansas City, Kansas.

For more information and background on the case, go to www.syngentacornlitigation.com.