

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

**IN RE SYNGENTA AG MIR162
CORN LITIGATION**

THIS DOCUMENT RELATES TO:

*The DeLong Co., Inc. v. Syngenta
AG, et al., No. 2:17-cv-02614-JWL-
JPO*

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

MDL No. 2591

AMENDED SCHEDULING ORDER

Pending before the court is the parties' consent motion to extend certain pre-trial scheduling deadlines, in which plaintiff The DeLong Co., Inc. ("DeLong"), with consent of defendants Syngenta AG, Syngenta Crop Protection AG, Syngenta Corporation, Syngenta Crop Protection, LLC, and Syngenta Seeds, LLC (together, "Syngenta"), request a two-week extension to the pre-trial scheduling deadlines for fact discovery, all deadlines related to experts and *Daubert* motions, and dispositive motion briefing.

The undersigned U.S. Magistrate Judge, James P. O'Hara, finds good cause to enter the amended schedule proposed by the parties. It is therefore ordered that the motion is **GRANTED**. The court therefore enters the following amended scheduling order, amending certain dates set forth in the parties' original scheduling order (ECF No. 11). Amendments are noted in **bold**, all other deadlines remain unchanged:

SUMMARY OF DEADLINES AND SETTINGS	
	DEADLINE/SETTING
Initial Disclosures By Plaintiff and Supplemental Disclosures by Defendants	21 Days after entry of this Scheduling Order
Deadline to Respond to Complaint	21 Days after entry of this Scheduling Order
If a motion to dismiss is filed, Deadline for Plaintiff to File Opposition	28 Days after the filing of any Motion to Dismiss
If a motion to dismiss is filed, Deadline for Defendants to File Reply	14 Days after the filing of any Opposition to Motion to Dismiss
Start of Fact Discovery	14 Days after Court rules on Syngenta's Motion to Dismiss, or September 13, 2019 (whichever is earlier)
Motions to amend	November 1, 2019
Comparative fault identification	October 11, 2019
Deadline for Fact Discovery	March 27, 2020
Joint Waiver of Right to Transfer to the Western District of Wisconsin as permitted by <i>Lexecon Inc. v. Milberg Weiss Bershad Hynes & Lerach</i> , 523 U.S. 26 (1998)	March 20, 2020 ¹
Experts disclosed by plaintiff	March 27, 2020
Discovery from plaintiff's experts	May 1, 2020

¹ See ECF No. 45.

SUMMARY OF DEADLINES AND SETTINGS	
	DEADLINE/SETTING
Experts disclosed by defendants	May 29, 2020
Discovery from defendants' experts	July 3, 2020
Pretrial conference	July 10, 2020, at 9 a.m.
Proposed pretrial order due	June 26, 2020
<i>Daubert</i> motions	August 7, 2020
Dispositive motions	August 14, 2020
<i>Daubert</i> oppositions	September 4, 2020
Dispositive motion oppositions	September 11, 2020
<i>Daubert</i> replies	September 25, 2020
Dispositive motion replies	October 2, 2020
Trial in the District of Kansas (if <i>Lexecon</i> waiver filed)	February 16, 2021
Motion to Transfer for Trial to Western District of Wisconsin (if no <i>Lexecon</i> waiver filed)	10 days after last order disposing of <i>Daubert</i> and Dispositive Motions

IT IS SO ORDERED.

Dated February 24, 2020, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge