

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

HEARTLAND CORN PRODUCTS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 20-2168-JWL
)	
SYNGENTA SEEDS, LLC et al.)	MDL 14-md-2591-JWL
)	
Defendants.)	

ORDER

In this individual case which is part of the *In re Syngenta* multi-district litigation (“MDL”), defendant Syngenta¹ has filed a motion to compel discovery from plaintiff Heartland Corn Products (“Heartland”) (ECF No. 51). Heartland has not responded to the motion.² The court grants the motion as unopposed and sets deadlines below.

Syngenta’s memorandum in support of its motion asserts that “Heartland has produced less than 100 documents in response to Syngenta’s First Set of Requests for Production (“the RFPs”)—even though Heartland agreed to produce documents without objection to 75 of the 79 requests.”³ Syngenta states it has made multiple attempts to confer

¹ As it has throughout the litigation of this MDL, the court refers to defendants collectively as “Syngenta.”

² Under the expedited briefing schedule set by the court, Heartland’s response was due March 2, 2021. ECF No. 54.

³ ECF No. 52 at 2.

with Heartland's counsel about the incomplete document production, but counsel has not responded.⁴ Heartland's silence on this matter has continued with its failure to respond to the motion to compel.

Under D. Kan. Rule 7.4(b), "If a responsive brief or memorandum is not filed within the Rule 6.1(d) time requirements, the court will consider and decide the motion as an uncontested motion. Ordinarily, the court will grant the motion without further notice." On this basis, Syngenta's motion to compel is granted. As requested in the motion, Heartland is ordered to meet and confer regarding its responses to the RFPs by **March 11, 2021**, including by disclosing the custodians, search terms, and date ranges it seeks to use. Should the parties be unable to reach agreement concerning the search terms, date ranges, and custodians, they shall file a joint motion for the court's resolution of the same by **March 15, 2021**.⁵ Heartland shall respond to the RFPs by **April 8, 2021**, unless that deadline is later extended by the court.

IT IS SO ORDERED.

Dated March 3, 2021, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara

⁴ *See id.* ("Syngenta has not heard from Heartland's counsel on these or any subjects since mid-January.").

⁵ Any such joint motion shall be limited to eight pages total and set forth the party's respective positions. The court will endeavor to rule the motion quickly. Counsel should be prepared to participate in a telephone conference sometime that week, should the court deem one useful.

U.S. Magistrate Judge