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WEEKLY

\$1.51B settlement sought in Syngenta corn case

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Lawyers in a nationwide class-action lawsuit against Syngenta regarding the company's use of genetically modified corn have proposed a \$1.51 billion global settlement.

U.S. District Judge John W. Lungstrum of the District of Kansas has been asked to preliminarily approve the settlement. Lawyers for the class said it is believed to be the largest agricultural litigation settlement in U.S. history.

Two Missouri-based attorneys — Patrick Stueve of Stueve Siegel Hanson in Kansas City, and Don Downing of Gray, Ritter & Graham in St. Louis — are among the lead counsel in the case, along with William Chaney of Gray Reed & McGraw in Texas and Scott Powell of Hare Wynn Newell & Newton in Alabama.

"We are very pleased with this outcome," the lawyers

said in a press release.

"America's corn farmers and related businesses were hurt economically, and this settlement will provide fair compensation for their damages. It is an equitable result for all involved."

The settlement follows a \$217.7 million federal jury verdict reached last June for Kansas farmers. The Kansas case was the first of eight certified state class-action lawsuits on the subject.

In an interview on Tuesday, Downing said that verdict was one of the main drivers of the global settlement. "I think that verdict spoke loud and clear," Downing said.

The next trial in the federal case, which featured the claims of farmers from Arkansas and Missouri, had been scheduled for May. A separate case making similar state-law claims in Minnesota was in the midst of trial when the settlement was tentatively reached in

February.

The suit alleged that Syngenta sold its Agrisure Vip-tera and Agrisure Duracade corn seed products in the United States even though it knew China, a major U.S. export market, had not approved those products. China rejected U.S. corn imports in November 2013. The suit alleged that caused corn prices to drop during a five-year period.

Switzerland-based Syngenta did not admit fault in the proposed settlement and has stressed that the genetically modified products were approved by U.S. regulators at the time of their launch.

"With this litigation largely resolved, Syngenta will continue its focus on agricultural innovation, and continues to believe that American farmers should have access to the latest U.S.-approved technologies to help them increase their productivity and crop yield," Paul Minehart, a



Don Downing

company spokesman, said in an email.

The settlement covers an estimated 600,000 U.S. corn producers, including both farmers and crop-share landlords, who sold corn priced after Sept. 15, 2013. The settlement also includes grain-handling facilities and ethanol plants. Downing said he anticipates final approval could come before the end of the year. If the settlement ultimately is approved, funds could be distributed to class members in the first half of 2019.

The case is In Re: Syngenta AG MIR162, 2:14-md-02591.