

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

HOLIDAY SHORES SANITARY)	
DISTRICT, individually and on behalf of all)	
others similarly situated,)	
)	
)	
Plaintiff,)	CASE NO. 3:04-cv-00688-MJR
)	
vs.)	JUDGE MICHAEL J. REAGAN
)	
SYNGENTA CROP PROTECTION, INC., et)	MAGISTRATE JUDGE
al.,)	CLIFFORD J. PROUD
)	
Defendants.)	JURY TRIAL DEMANDED

**GROWMARK, INC.’S JOINDER OF SYNGENTA’S
MEMORANDUM IN OPPOSITION TO MOTION TO REMAND**

Growmark, Inc. (“Growmark”) joins in Syngenta Crop Protection, Inc.’s Memorandum in Opposition to Motion to Remand (“Opposition”) for itself. Growmark adopts the Opposition on the same grounds. For the reasons stated therein, Growmark respectfully requests that this court deny the motion to remand.

DATED: November 23, 2004

By: s/ Robert H. Shultz, Jr.
HEYL, ROYSTER, VOELKER & ALLEN
Robert H. Shultz, Jr., #03122739
103 W. Vandalia Street, Suite 100
Edwardsville, Illinois 62025
(618) 656-4646
ATTORNEYS FOR DEFENDANT
GROWMARK, INC.

PROOF OF SERVICE

The undersigned certifies that on November 23, 2004, a copy of the foregoing was electronically filed with the Clerk of the Court for the Southern District of Illinois using the CM/ECF system which will send notification of such filing to the following:

Courtney Buxner
Email: cbuxner@koreintillery.com

Stephen M. Tillery
Email: stillery@koreintillery.com

Kurtis B. Reeg
kreeg@reeglawfirm.com

Mark C. Surprenant
surpremc@arlaw.com

Copies were mailed in properly addressed, postage prepaid envelopes, and deposited in the U.S. Mail in Edwardsville, Illinois, addressed to the following:

Scott Summy
Baron & Budd
3102 Oak Lawn Avenue, Suite 1100
Dallas, TX 75219

Paul O. Dicharry
Peter M. Mansfield
Adams and Reese LLP
4500 One Shell Square
New Orleans, LA 70139

s/ Robert H. Shultz, Jr.
HEYL, ROYSTER, VOELKER & ALLEN