

**IN THE CIRCUIT COURT  
THIRD JUDICIAL CIRCUIT OF ILLINOIS  
MADISON COUNTY**

**HOLIDAY SHORES SANITARY DISTRICT, )  
Individually and on behalf of all others similarly )  
situated, )**

**Plaintiff, )**

**Cause No. 2004-L-000710**

**v. )**

**SYNGENTA CROP PROTECTION, INC. and )  
GROWMARK, INC., )**

**Defendants. )**

**DEFENDANT SYNGENTA CROP PROTECTION, INC.'S OBJECTIONS AND  
RESPONSES TO PLAINTIFF'S FIRST INTERROGATORIES DIRECTED TO  
DEFENDANT SYNGENTA CROP PROTECTION, INC.**

COMES NOW Defendant Syngenta Crop Protection, Inc. ("Syngenta"), and for its  
Objections and Responses to Plaintiff's First Interrogatories Directed to it, states as follows:

These interrogatories are to be answered in accordance with the following definitions and  
instructions, and these definitions and instructions are hereby incorporated by reference into each  
Interrogatory.

**GENERAL OBJECTIONS**

1. Syngenta objects to the extent that the First Interrogatories seek to impose  
obligations and burdens greater than those permitted or imposed by the Illinois Code of Civil  
Procedure, the Illinois Supreme Court Rules and applicable law.

2. Syngenta objects to the extent that the First Interrogatories seek disclosure of  
information which is protected from disclosure under the attorney-client privilege, work product  
doctrine, self-critical analysis privilege, common interest doctrine, joint defense privilege,

insurer-insured privilege, consulting expert privilege, or other applicable legal privilege or protection.

3. Syngenta objects to the extent that the First Interrogatories seek information concerning persons or entities which are not parties to this action and/or are outside the possession or control of Syngenta, or which information is in the public domain and/or are equally available to the Plaintiff(s).

4. Syngenta objects to the Definitions and Instructions to the extent that the Definitions give some meaning to certain terms other than their typical, normal meaning or definition, and to the Instructions to the extent that they seek to impose upon Syngenta obligations and duties beyond those permitted by the applicable provisions of the Illinois Code of Civil Procedure and the Illinois Supreme Court Rules. Syngenta will utilize the common, accepted meaning of words and phrases and comply with its discovery obligations as defined by applicable law.

5. Syngenta objects to these First Interrogatories and further subparts contained in the First Interrogatories to the extent that they are overbroad, unduly burdensome, oppressive, harassing, seek to embarrass or annoy Syngenta, are duplicative, seek documents/information which are irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence, and seek documents/information which is beyond the scope of permissible discovery.

6. Syngenta objects to these First Interrogatories to the extent that they require it to assemble or produce information or documents which are not already in existence and reasonably available in the form requested by Plaintiff.

7. Syngenta hereby incorporates each of the foregoing general objections into each of its answers below.

### DEFINITIONS

As used in these Interrogatories, the following terms shall have the following meanings:

1. "Address" means the street address, city, state, zip code, and country.
2. "Atrazine" or "atrazine-containing product(s)" means atrazine, any product (including herbicides) containing atrazine, and atrazine degradate chemicals, including but not limited to desethylatrazine, deethylatrazine, deisopropylatrazine, diaminoatrazine, diaminochlorotriazine (or desethyldeisopropylatrazine), hydroxyatrazine, desethylhydroxyatrazine, and ammeline.

RESPONSE: Syngenta objects to the terms/phrases "Atrazine," "product(s)" and "atrazine-containing products" on the grounds that the same are vague, ambiguous, overbroad, burdensome, oppressive and harassing. Syngenta further objects to the phrase "atrazine degradate chemicals" as the same is, vague, ambiguous and only partly defined. The claims in this case as framed by the Plaintiff's Amended Complaint involve only Atrazine and three (3) specific breakdown substances (i.e., deethylatrazine, deisopropylatrazine and diaminoatrazine), and the Amended Complaint seeks damages arising from the presence of only Atrazine in the plaintiff's drinking water supply. Nowhere in the pleadings are the terms desethylatrazine, diaminochlorotriazine (or desethyldeisopropylatrazine), hydroxyatrazine, desethylhydroxyatrazine, and ammeline even mentioned, much less pleaded to be the bases of any cause of action against Syngenta. Accordingly, these Definitions seek information which is irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and are beyond the scope of permissible discovery. Syngenta will respond to these Requests only with respect to Atrazine and the three (3) identified breakdown products set forth in the Amended Complaint, all as limited herein and in the General Objections above.

3. "Date" means the exact day, month, and year, if ascertainable, or if not, a description of the temporal relationship of the occurrence for which the date is sought to the closest dates which are ascertainable.
4. "Defendants" means Dow Agrosciences, LLC, Drexel Chemical, Co., Growmark, Inc., Makhteshim-Agan of North America, Inc., Sipcam Agro USA, Inc., Syngenta Crop Protection, Inc., United Agri Products, Inc., D/B/A UAP Loveland Products, Inc., and any predecessors, divisions, subdivisions, foreign subsidiaries, foreign subsidiaries of predecessors, domestic or foreign corporate parents, and/or affiliates.

RESPONSE: Syngenta objects to the Definition of "Defendants" to the extent that it includes any entities which are not Defendants in this case and it includes "any predecessors, divisions, subdivisions, foreign subsidiaries, foreign subsidiaries of predecessors, domestic or foreign corporate parents, and/or affiliates" on the grounds that the same is overbroad, burdensome, oppressive, harassing, seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and seeks information which is beyond the scope of permissible discovery. Certain of the predecessors of Syngenta date back to at least the mid-1700's and it is unreasonable to demand that Syngenta search for responsive information that far back in time. Syngenta further objects to any discovery directed to "foreign subsidiaries, foreign subsidiaries of predecessors, ... or foreign corporate parents, and/or affiliates" on the grounds that plaintiff has failed to sustain its legally-required burden of demonstrating requisite control by any such entities over Syngenta Crop Protection, Inc. or Syngenta Crop Protection, Inc.'s control over the documents of any of its "foreign subsidiaries, foreign subsidiaries of predecessors, ... or foreign corporate parents, and/or affiliates." Additionally, Syngenta objects to this Definition on the grounds that the same violates the due process rights of any "foreign subsidiaries, foreign subsidiaries of predecessors, ... or foreign corporate parents, and/or affiliates" of Syngenta, including any such entities which are located in or organized or existing under the laws of the nation of Switzerland. Additionally, Syngenta objects to this Definition as to any entity other than Syngenta Crop Protection, Inc., as the other entities set forth in the Definition are independent, third entities all but one (1) of which (Growmark) is not a party in this case and Syngenta has no control over any such independent third party entities or their documents.

5. "Degradient(s)" or "degradate(s)" should be understood to refer to any of the chemicals into which atrazine breaks down, including deethylatrazine, deisopropylatrazine, and diaminoatrazine.
6. "Document(s)," "data," and/or "electronically stored information" is to be interpreted broadly to include but not limited to writings, records, files, correspondence, reports, memoranda, calendars, diaries, minutes, notes, research material, electronic messages, voicemail, e-mail, telephone message records or logs, computer and network activity logs, hard drives, backup data, removable computer storage media such as usb devices, hard drives, cd/dvd media, and memory storage devices, Web pages, databases, presentations, spreadsheets, software, books, ledgers and journals, orders, invoices, bills, drawings, images, photographs, video, and digital recordings. Information that serves to identify, locate, or link such material, such as file inventories, file folders, indices, and metadata, is also included in this definition.

RESPONSE: Syngenta objects to the terms/phrases "Document(s)," "data," and/or "electronically stored information" to the extent that the same seek information protected by the attorney-client privilege, work product doctrine, self-critical analysis privilege, common interest doctrine, joint defense privilege, insurer-insured privilege, consulting expert privilege, or any other applicable legal privilege or protection. Moreover, Syngenta specifically objects to the production of "databases" or other documents that are

protected by the attorney-client privilege, work product doctrine, self-critical analysis privilege, common interest doctrine, insurer-insured privilege, joint defense privilege, consulting expert privilege, or any other applicable legal privilege or protection.

7. "Health effects" should be understood to refer to any effect or potential effect, adverse or otherwise, to human health or the health of other living organisms.
8. "Identify" means to provide sufficient information to allow a reasonable person to locate and comprehend the subject. For example, with respect to a person, this means to provide the full name, last known address (or date of death, if applicable), job title, employer name; with respect to an entity, this means to provide the name, address, principal place of business, and state of incorporation (if applicable); with respect to a document, this means to provide the title, date, author, recipient, subject matter, description, and current custodian.

RESPONSE: Syngenta objects to the Definition of the term "Identify" on the grounds that the same is overbroad, burdensome, seeks information which is protected by privacy and confidentiality rules, regulations and laws, seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects on the grounds that the phrase "comprehend the subject" is vague, ambiguous, and places upon Syngenta the untenable burden of determining what another person may or may not "comprehend." With respect to the identity of a person, Syngenta objects to the extent that the term "Identify" seeks personal identifying information regarding the home location of present or former employees, or to the extent such information is protected from disclosure by HIPAA, social security, privacy or other non-disclosure rules, regulations or laws; thus, Syngenta will not provide home address information without an appropriate court order. Additionally, Syngenta objects to disclosing the state of incorporation of entities other than itself on the grounds that the same is burdensome, available in the public domain and equally available to Plaintiff. Finally, with respect to the identity of a document, Syngenta is working and will work in good faith with Plaintiff's counsel to construct privilege logs which provide all the parties sufficient information regarding the identity and production of documents and the bases upon which the same are withheld from production.

9. "Or" shall be construed either conjunctively or disjunctively to bring within the scope of these Interrogatories any information which might otherwise be construed to be outside their scope.
10. "Study" or "studies" should be understood to include all internal and external studies and all research, surveys, tests, investigations, assessments, drafts and summaries of same and all communications concerning such study or studies.
11. "Triazine" or "triazine-containing product(s)" means triazine, any product (including

herbicides) containing triazine, and triazine degradant chemicals.

RESPONSE: Syngenta objects to these Definitions on the grounds that the same are overbroad, oppressive, harassing, seek information which is irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and are beyond the scope of permissible discovery. To date, Syngenta has only searched for and collected documents and information which relates to Atrazine, which is the subject of this lawsuit. Syngenta objects to the term "degradant" on the grounds that the same is overbroad and burdensome; as noted above, Syngenta construes such term to refer to the three (3) breakdown substances of Atrazine set forth in Plaintiff's Amended Complaint and as set forth in Response to Definition 2 above; however, the same is still objectionable as this case as framed by the Plaintiff's Amended Complaint involves Atrazine only, and seeks damages arising only from the presence of Atrazine in the plaintiff's drinking water supply. Nowhere in the Plaintiff's Amended Complaint are the terms "triazine" or "triazine-containing product(s)" even mentioned, much less pleaded to be the bases of any cause of action against Syngenta. Accordingly, these Definitions seek information which is irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and seek information which is beyond the scope of permissible discovery. Syngenta will only respond to these Requests with respect to Atrazine and the three (3) identified breakdown products set forth in the Amended Complaint.

12. "Water resource" or "water supply" means groundwater, surface water, and/or any system for the provision to the public of water for human consumption.

RESPONSE: Syngenta objects to the Definitions of "water resource" or "water supply" to the extent that these phrases include groundwater, on the grounds that Plaintiff's Amended Complaint does not claim any alleged damages to any of its or others' groundwater, such that the same are overbroad, oppressive, harassing, seek information which is irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and seek information which is beyond the scope of permissible discovery. Syngenta further objects on the grounds that the phrase "for the provision to..." is vague and ambiguous.

13. "You," "your," "yours," or "Syngenta" means the answering defendant and any of its merged, consolidated, or acquired predecessors, divisions, subdivisions, foreign subsidiaries, foreign subsidiaries of predecessors, domestic or foreign corporate parents, and/or affiliates including, but not limited to J.R. Geigy Limited, Ciba Crop Protection, Zeneca Agrochemicals, Ciba-Geigy Limited, and Novartis Agribusiness. This definition includes present or former officers, directors, agents, representatives, employees, and all other persons acting or purporting to act on behalf of Syngenta Crop Protection, Inc., or its predecessors, subsidiaries, and/or affiliates. "Predecessors" means any business firm, whether or not incorporated, which had all or some of its assets purchased or acquired by Syngenta Crop Protection, Inc., whether by merger, consolidation, or otherwise. "Subsidiaries" further means any business firm, whether or not incorporated, which is or

was in any way owned or controlled, in whole or in part, by Syngenta Crop Protection, Inc., or its predecessors. Representative means any partner, agent, employee, consultant, attorney, accountant, or anyone else acting or purporting to act for, at the direction of, or on behalf of another.

RESPONSE: Syngenta objects to the terms "You," "your," "yours," "Syngenta," "Predecessors" and "Subsidiaries" on the grounds that the same are overbroad, burdensome, oppressive, harassing, meant to annoy Syngenta, seek information which is irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and seek information which is beyond the scope of permissible discovery. See Objections to Definition 4 above which are incorporated herein. Certain of the subsidiaries, predecessors and/or affiliates of Syngenta date back to at least the mid-1700's and it is unreasonable to demand that Syngenta search for responsive information that far back in time. Syngenta further objects to any discovery directed to "foreign subsidiaries, foreign subsidiaries of predecessors,... or foreign corporate parents, and/or affiliates including, but not limited to J.R. Geigy Limited, Ciba Crop Protection, Zeneca Agrochemicals, Ciba-Geigy Limited, and Novartis Agribusiness" on the grounds that plaintiff has failed to sustain its legally-required burden of demonstrating requisite control by any such entities over Syngenta Crop Protection, Inc. or Syngenta Crop Protection, Inc.'s control over the documents of any of its "foreign subsidiaries, foreign subsidiaries of predecessors, ... or foreign corporate parents, and/or affiliates." Additionally, Syngenta objects to this Definition on the grounds that the same violates the due process rights of any "foreign subsidiaries, foreign subsidiaries of predecessors, ... or foreign corporate parents, and/or affiliates" of Syngenta, including any such entities located in or organized or existing under the laws of the nation of Switzerland. Moreover, Syngenta objects to the phrase "purporting to act on behalf of Syngenta Crop Protection, Inc., or any of its predecessors, subsidiaries and/or affiliates" on the grounds that the same places upon Syngenta an untenable burden of determining what may have been in the mind of or the intent of third party persons or entities, including those over whom/which Syngenta has no control. Subject to the foregoing objections, and without waiving the same, and subject to the hearing on its Motion for Protective Order, Syngenta Crop Protection, Inc. will produce responsive information that is reasonably within its possession in compliance with appropriate Interrogatories.

### **INSTRUCTIONS**

The following instructions apply to these interrogatories:

RESPONSE: Syngenta objects to all Instructions to the extent that they are beyond the scope of permissible discovery as permitted by the Illinois Code of Civil Procedure and the Illinois Supreme Court Rules, or seek to impose obligations or duties upon Syngenta beyond those permitted by the Code, the Rules or applicable law.

1. Each question and request shall be answered separately and fully, and each answer shall be preceded by the question to which it responds.

2. If you object to an interrogatory, please state the specific grounds for your objection and answer to the extent the interrogatory is not objectionable, as required by Rule 213. In particular, with respect to any interrogatory you contend is "ambiguous" or "vague" state the specific reasons for such objection and your understanding of the interrogatory, and answer the interrogatory as you understand it. Likewise, with respect to any interrogatory you contend is "overbroad," state the specific reason for such objection and answer to the extent you contend is reasonable.
3. Documents produced shall be organized and designated to correspond to the categories in the request or produced as they are kept in the usual course of business.
4. Answer each interrogatory and request. If your response to a specific interrogatory is "none" or "unknown," please write the word "none" or "unknown" as your response, and explain what efforts you made to investigate and respond to the interrogatory. If an interrogatory does not apply to you, please write the word "inapplicable" as your response, and explain why the interrogatory does not apply.

RESPONSE: Syngenta objects to Instruction 4 on the grounds that it seeks to impose obligations and duties on Syngenta beyond those permitted by the Illinois Code of Civil Procedure and the Illinois Supreme Court Rules. If Syngenta objects to an Interrogatory, then Syngenta will meet and confer with Plaintiff's counsel as provided in Rule 201(k). If an accommodation can be reached by the parties, then Syngenta will respond accordingly. If an agreement cannot be reached, the objections and the resolution thereof will take place according to the Rules and applicable law. Syngenta is under no duty or obligation to reconstruct or re-write Plaintiff's discovery requests, explain its responses/objections therein, or to disclose its work product efforts, if the discovery requests are objectionable.

5. If you believe that any interrogatory or portion thereof is ambiguous or otherwise unclear, identify the language you deem to be ambiguous or unclear and explain what construction of that language you are utilizing in answering the interrogatory.
6. If you respond to any interrogatory by reference to documents, you must do so in compliance with Rule 213(e).
7. The interrogatories set forth below shall be deemed continuing insofar as to require supplemental responses in accordance with Rule 213(i) if additional information or documents sought to be identified are obtained or discovered between the time or responding to these interrogatories and the final disposition of this action.
8. If you are not in possession, custody or control of any documents described in any one or more of the following request, a written statement that you are not in possession, custody or control of any such documents and the name and address of the person who has possession, custody or control of any such documents is a sufficient response to the

request. However, production of such documents shall be required if possession, custody or control of the same is in or with any of your agents, employees, servants, contractors, representatives, corporate parents, subsidiaries or affiliates.

RESPONSE: Syngenta objects to Instruction 8 on the grounds that the same is overbroad, burdensome, oppressive, and harassing, seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not calculated to lead to the discovery of admissible evidence at trial, and seeks information which is beyond the scope of permissible discovery. Additionally, Syngenta objects to Instruction 8 on the grounds that it seeks to impose an obligation to produce information, documents or persons which are protected by the attorney-client privilege, work product doctrine, self-critical analysis privilege, common interest doctrine, joint defense privilege, insurer-insured privilege, consulting expert privilege, or any other applicable legal protection or privilege. Moreover, Syngenta objects to producing any documents in the possession of any "agents, employees, servants, contractors, representatives, corporate parents, subsidiaries or affiliates" which are located outside the United States on the grounds that plaintiff has failed to sustain its legally-required burden of demonstrating requisite control by any such entities over Syngenta Crop Protection, Inc. or Syngenta Crop Protection, Inc.'s control over the documents of any such persons or entities. Additionally, Syngenta objects to this Definition on the grounds that the same violates the due process rights of any such non-United States persons or entities, including any such entities located in or organized or existing under the laws of the nation of Switzerland.

9. If your response to any request should make reference, in whole or in part, to, or require the use of, data, information, or records contained in any computerized form, please indicate the extent to which the answers relied on such data and attached a partial or whole copy of the record.

RESPONSE: Syngenta objects to Instruction 9 to the extent that it seeks to impose upon Syngenta obligations or duties beyond those permitted by the Code or the Rules. Subject to the foregoing objections, and without waiving the same, and subject to the hearing on its Motion for Protective Order, Syngenta will comply with its obligations under Illinois Supreme Court Rules 201, 213 and 214.

10. If any document is withheld from production hereunder on the basis of a claim of privilege or work product protection, please provide, for each such document, a description sufficiently detailed to allow Plaintiffs to evaluate the legitimacy of your claim of privilege. Such description shall include: the title and general subject matter of the document, the date of the document, the identity of all persons who participated in creating the document, the identity of each person who signed the document or over whose name the document was issued, the identity of each addressee and recipient of the document, the number of pages which comprise the document, a description of the nature and substance of the document, its attachments, if any, its present custodian and a description of the basis for each claimed privilege or work product protection.

RESPONSE: Syngenta objects to Instruction 10 to the extent that it seeks to impose

upon Syngenta obligations or duties beyond those permitted by the Code or the Rules. Subject to the foregoing objections, and without waiving the same, and subject to the hearing on its Motion for Protective Order, with respect to documents, Syngenta is working and will work in good faith with Plaintiff's counsel to construct privilege logs which provide all the parties sufficient information regarding the identity and production of documents or the bases upon which the same are withheld from production.

11. If any document which forms a part of, or the entire basis for, any response to these requests have been destroyed, disposed of, or is no longer within your control, for each such document set forth the following explanations: (a) state when it was destroyed or disposed of; (b) identify the name, title and address of the person who destroyed the documents; (c) identify the name, title and address of the person who directed that it be destroyed or disposed of; (d) detail the reasons for the destruction or disposition; (e) describe the nature of the document; (f) identify the persons who created, sent and received the document; (g) state the date the document was prepared and transmitted (if different); (h) state, in as much detail as possible, the contents of the document; and (i) if it still exists, provide a copy or draft of such document.

RESPONSE: Syngenta objects to Instruction 11 to the extent that it seeks to impose upon Syngenta obligations or duties beyond those permitted by the Code or the Rules. Subject to the foregoing objections, and without waiving the same, and subject to the hearing on its Motion for Protective Order, with respect to documents, Syngenta is working and will work in good faith with Plaintiff's counsel to construct privilege logs which provide all the parties sufficient information regarding the identity and production of documents or the bases upon which the same are withheld from production or otherwise been destroyed.

### INTERROGATORIES

1. Have you sold atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products to other herbicide, pesticide, or other chemical manufacturers, distributors, producers, co-ops, or wholesalers? If so, state:
  - a. The name(s) of the manufacturer(s), distributor(s), producer(s), co-op(s), and/or wholesaler(s) who purchased the product(s), and their address(es) and location(s);
  - b. The corresponding names(s) of the products(s) sold to each entity;
  - c. The chemical make-up/composition of the product(s) you sold, whether or not it/they was/were pure atrazine or triazine, and whether or not the purchaser(s) finished the product(s) into atrazine and/or triazine or an atrazine or triazine-containing product;
  - d. The corresponding quantities of product(s) sold;
  - e. The corresponding date(s) that each entity purchased the product(s);
  - f. The name(s) of the product(s) that the purchaser(s) manufactured, marketed, and/or sold as a result of their purchase from you.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is overbroad, burdensome, oppressive, harassing, not limited in time or to the State of Illinois, and includes substances other than technical, and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory also seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects on the grounds that this Interrogatory improperly attempts to shift the burden of proof from Plaintiff to this Defendant.

2. Identify all atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products that you have sold. For each product:
  - a. State the name;
  - b. Indicate when it was developed, manufactured, marketed, supplied, and/or sold;
  - c. Identify the quantities you sold by year, and to whom;
  - d. Identify the geographic markets (i.e., country, state, county, city) in which it was sold (including the corresponding dates);
  - e. Identify what markets it was used in;
  - f. Identify the product for which it is intended to be used with, or mixed, blended or made into;
  - g. Identify when it was *first* developed, marketed and sold;
  - h. Identify the cost of producing it;
  - i. Identify the revenue and/or profit you made on it;
  - j. Identify who first approved of or made the decision to start making, producing, or selling it.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is overbroad, burdensome, oppressive, harassing, not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory also seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects to subparagraphs h. and i. on the grounds that the same are irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and are beyond the scope of permissible discovery on the grounds that, among other things, Plaintiff's claim for punitive damages has been dismissed by the Court.

3. Have you purchased atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products from other herbicide, pesticide, or other chemical manufacturers, distributors, producers, co-ops, or wholesalers? If so, state:
- The name(s) of the manufacturer(s), distributor(s), producer(s), co-op(s), and/or wholesaler(s) that you purchased the product(s) from, and their address(es) and location(s);
  - The corresponding names(s) of the products(s) purchased;
  - The chemical make-up/composition of the product(s) you purchased, whether or not it/they was/were pure atrazine or triazine, and whether or not you finished the product(s) into atrazine and/or triazine or an atrazine or triazine-containing product;
  - The corresponding quantities of product(s) purchased;
  - The corresponding date(s) that you purchased the product(s);
  - The name(s) of the product(s) that you manufactured, marketed, and/or sold as a result of your purchase.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is overbroad, burdensome, oppressive, harassing, not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory also seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects on the grounds that this Interrogatory improperly attempts to shift the burden of proof from Plaintiff to this Defendant.

4. Identify by name all alternatives to atrazine, including but not limited to mesotrione, which you have developed, are developing, have sold, are selling, or of which you have knowledge. For each such product, identify:
- When it was first developed;
  - Who developed it;
  - Why it was developed;
  - The cost of producing/developing it;
  - In which markets it is used and why (e.g. because atrazine was banned in that particular market);
  - The dates on which you first sold it in each market, and the quantities sold, by year;
  - All health risks posed by exposure to this atrazine-alternative, and identify all documents relating to such risks;
  - The individual who first approved of or made the decision to start making or producing the product.

RESPONSE: See objections to Definitions 2 and 13 above. Syngenta further objects on the grounds that the term "alternatives" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that inquiry into "mesotrione" is overbroad, burdensome, oppressive and harassing in that Plaintiff's Amended Complaint does not address or assert purported liability or damages based on "mesotrione," and Syngenta also objects on the grounds that inquiry into "alternatives....of which you have knowledge" are all vague, overbroad, burdensome, oppressive, harassing, seek information which is irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and are beyond the scope of permissible discovery. Moreover, Syngenta objects on the grounds that this Interrogatory is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Request seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects to sub-paragraphs d. and h. on the grounds that the same are irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and are beyond the scope of permissible discovery. Syngenta further objects on the grounds that sub-paragraph e. is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery in that the Plaintiff's Amended Complaint only alleges purported causes of action based on Atrazine and not other components or component products. Additionally, Syngenta objects to sub-paragraph g. on the grounds that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery in that the Plaintiff's Amended Complaint only alleges purported causes of action based on Atrazine and not other products.

5. Describe your relationship with Jere White, the Triazine Network, the Kansas Corn Growers Association, the Kansas Grain Producers Association, and/or any other agricultural or farm associations, cooperatives, trade associations, or any other organization that advertises, endorses, supports, or in any way promotes the use of atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents. For each such individual or group, please describe:
  - a. Describe the relationship in detail and identify what he/they was/were hired or employed to do for you, if applicable;
  - b. What he/they was/were asked to do when he/they attend meetings or gatherings pertaining to the present litigation;
  - c. What he/they was/were paid, including any transfer of value from you to

- him/them;
- d. What correspondence you had with him/them regarding services;
  - e. What contracts or agreements exist/existed between you/them;
  - f. If you have ever hired or employed other individuals or groups in a similar manner, describe your relationship with them and answer the questions above for each such entity.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta objects to Interrogatory 5 to the extent that it inquires regarding "and/or any other agricultural or farm associations, cooperatives, trade associations, or any other organization that advertises, endorses, supports, or in any way promotes the use of atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents," on the grounds that the same is vague, ambiguous, seeks information that is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects to sub-paragraph f. on the grounds that the same is vague, ambiguous, seeks information that is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects to the extent that this Interrogatory seeks information protected by the attorney-client privilege, work product doctrine, self-critical analysis privilege, common interest doctrine, HIPAA and other privacy rules, regulations and laws, and any other applicable legal privilege or protection. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, is not limited to the allegations of Plaintiff's Amended Complaint, and, therefore, includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, the information requested in this Interrogatory is at least partially available in the public domain and from web sites, and is equally available to Plaintiff. Moreover, Syngenta objects on the grounds that this Interrogatory seeks to violate and invade Syngenta's freedoms of speech, assembly, and association guaranteed by the First and Fourteenth Amendments, and the Illinois and other applicable state constitutional equivalents thereof.

6. Are you aware of other manufacturers that have produced or are producing atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products? If so, identify them by name, including addresses and their share of the atrazine market for each year they produced atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that "constituents" is vague, ambiguous, undefined, overbroad,

burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, is not limited to the allegations of Plaintiff's Amended Complaint, and, therefore, includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects to this Interrogatory on the grounds that inquiry into "their share of the market" seeks legal conclusions, seeks information that is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery on the grounds that, among other things, the law in the State of Illinois does not recognize market share, enterprise, or any other theory of collective liability. Syngenta further objects on the grounds that this Interrogatory improperly attempts to shift the burden of proof from Plaintiff to this Defendant.

7. Describe the first ten instances that you know of where atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products contaminated water resources. For each instance, please explain what water resource was contaminated and when, who notified you about the contamination, who, specifically, at Syngenta was notified, how you reacted, what you did, how you followed up, and how the incident impacted you.

RESPONSE: See objections to Definitions 2, 11, 12 and 13 above. Syngenta further objects on the grounds that the term "constituents," and the phrases "how you reacted" and "how the incident impacted you" are vague, ambiguous, undefined, overbroad, burdensome, oppressive, harassing and calls for guess and speculation on the part of Syngenta. Syngenta further objects on the grounds that the term "contamination" assumes facts not in evidence and mischaracterizes the legal, permissible presence at certain levels of Atrazine and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, in raw and treated drinking water. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, is not limited to the allegations of Plaintiff's Amended Complaint, and, therefore, includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are

already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond as limited regarding technical and/or commercial grade Atrazine and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, in raw and treated drinking water at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

8. Identify all persons, including addresses, with knowledge of facts relevant to the claims or defenses asserted by Plaintiff or Defendants in this action, and provide a summary of the relevant facts of which each person has knowledge. Please be sure to include those who you employed or hired with responsibility relating to:
  - a. Determining the health effects of exposure to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products;
  - b. Investigating the contamination of water resources by atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products;
  - c. Considering, developing, adopting, circulating, and/or providing final approval for any warnings related to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates.

RESPONSE: See objections to Definitions 2, 11, 12 and 13 above. Syngenta further objects on the grounds that the term "contamination" assumes facts not in evidence and mischaracterizes the legal, permissible presence at certain levels of Atrazine and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, in raw and treated drinking water. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, is not limited to the allegations of Plaintiff's Amended Complaint, and, therefore, includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond as limited regarding Atrazine at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

9. Describe your document retention policy, as well as that of your merged, consolidated, or acquired predecessors. In your response, please discuss where documents pertaining to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or

constituents or degradates are located, who was/is responsible for maintaining these documents, and whether any documents pertaining to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates have been destroyed.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that this Request is not reasonably limited in time or geography or to Syngenta Crop Protection, Inc. Syngenta also objects on the grounds that the phrase "of the type requested" is vague and ambiguous. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, is not limited to the allegations of Plaintiff's Amended Complaint, and, therefore, includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond as limited regarding its document retention policies at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

10. Identify all persons employed or hired by you with any responsibility for or involvement in communicating with domestic or foreign governmental agencies, herbicide industry associations, herbicide manufacturers, customers, the public, or other persons or entities regarding atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates, their use, and/or their regulation and provide a summary of all such communications. In your response, please be sure to include all those who met with the United States Environmental Protection Agency ("EPA") regarding the Natural Resource Defense Counsel's ("NRDC") lawsuit against them regarding atrazine and those responsible for reporting on your behalf to the EPA for issues related to the Federal Insecticide, Fungicide, and Rodenticide Act and/or the Toxic Substances Control Act. For each such communication, identify:
  - a. The person who participated in the communication, and their address;
  - b. The recipient of the communication and any organizations of which they were a member;
  - c. All minutes or notes taken at the meeting or communication;
  - d. All documents produced or provided by the persons you hired or employed in connection with the meeting or communication.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta objects to Interrogatory 10 to the extent that it inquires regarding "industry associations...or other

persons or entities” on the grounds that the same is vague, ambiguous, seeks information that is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects on the grounds that the term “constituents” is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, is not limited to the allegations of Plaintiff’s Amended Complaint, and, therefore, includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Moreover, Syngenta objects on the grounds that this Interrogatory seeks to violate and invade Syngenta’s freedoms of speech, assembly, and association guaranteed by the First and Fourteenth Amendments, its freedom to petition for redress of grievances under the First Amendment, its rights to procedural and substantive due process under the Fourteenth Amendment, and its rights to equal protection of the law under the Fifth and Fourteenth Amendments, and the Illinois and other applicable state constitutional equivalents thereof.

11. Describe any other litigation or administrative proceeding that you are or have been involved in related to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates? For each such instance:
  - a. Identify the proceeding by name, caption, and date, as well as all documents relating thereto;
  - b. Identify all persons, including addresses, employed or hired by you who have provided testimony (by deposition, hearing, affidavit, trial, or other sworn manner) in each respective matter;
  - c. Explain the subject matter, allegations, and/or basis for the proceeding;
  - d. Identify any copies of any depositions, statements, or other documents related to these proceedings.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the term “constituents” is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects to sub-paragraph c. to the extent that it inquires regarding the

“basis for the proceeding” on the grounds that the same calls for guess and speculation and constitutes an improper legal conclusion. Additionally, certain of the information requested in this Request is available in the public domain through public court files; to the extent that any such documents are governed by or subject to a protective order, then Syngenta cannot produce the same outside the limits thereof.

12. Describe any inquiries or complaints regarding the health effects of or the contamination of water resources by atrazine, atrazine-containing products, and/or constituents or degradates of such products by consumers, employees, contractors, downstream users, or other persons or entities? For each such complaint, describe:
- Who made the complaint/inquiry, and when they made it;
  - To whom the complaint/inquiry was directed;
  - The nature of each complaint/inquiry;
  - What your response was to the complaint/inquiry; and
  - How you were impacted by the complaint/inquiry.

RESPONSE: See objections to Definitions 2, 11, 12 and 13 above. Syngenta further objects on the grounds that this Interrogatory seeks private and/or personal information and is overbroad, burdensome, oppressive and harassing, and the terms “constituents” and “downstream users” are vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Syngenta further objects on the grounds that the term “contamination” assumes facts not in evidence and mischaracterizes the legal, permissible presence at certain levels of technical and/or commercial grade Atrazine and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, in raw and treated drinking water. Moreover, Syngenta objects on the grounds that this Interrogatory is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects to sub-paragraph e. to the extent that it inquires regarding “how you were impacted by the complaint/injury” on the grounds that the same is vague, ambiguous, and calls for guess and speculation on the part of Syngenta as to what Plaintiff intends by its inquiry. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

13. Identify each and every warning or communication of any type including but not limited to oral and written statements and/or written material that you have had with, have caused others to have with, provided to, or caused to be provided to the public, to a water

provider, or to a governmental entity regarding contamination of water resources and/or potential health effects of atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products or regarding potential or current litigation relating to these materials. For each such warning:

- a. Identify the person or persons responsible for having drafted or issued the information, statement, or written material, and any other persons involved in or responsible for conveying the information;
- b. State the date such information was first issued or distributed and the inclusive period during which it was used;
- c. Identify all documents reflecting, referring, or relating to such information, statement, or written material;
- d. Identify each and every entity or individual to whom you issued or distributed such warning, caution or advisory.

RESPONSE: See objections to Definitions 2, 11, 12 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that the term "contamination" assumes facts not in evidence and mischaracterizes the legal, permissible presence at certain levels of technical and/or commercial grade Atrazine and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, in raw and treated drinking water. Syngenta further objects on the grounds that this Interrogatory is duplicative, not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Moreover, Syngenta objects on the grounds that this Interrogatories seeks to violate and invade Syngenta's freedoms of speech, assembly, and association guaranteed by the First and Fourteenth Amendments, its freedom to petition for redress of grievances under the First Amendment, its rights to procedural and substantive due process under the Fourteenth Amendment, and its rights to equal protection of the law under the Fifth and Fourteenth Amendments, and the Illinois and other applicable state constitutional equivalents thereof.

14. Describe any relationship that you have or have had with any laboratories or research groups related to studies of atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products. For each such laboratory or research group, please describe:
  - a. The name and address of the laboratory or group;
  - b. The nature of the relationship, contract, agreement, understanding, or work efforts existing between you and them, including what you specifically asked them to do,

- how much you paid them, and when;
- c. Whether you have any ownership interest in the laboratory or group;
- d. The studies that they performed for you, the results, and when you received the results;
- e. What correspondence you had with him/them regarding services;
- f. What governmental entity you reported the results to and when;
- g. Other joint efforts, long-term contracts or relationships, exclusivity agreements, and/or other contracts that you have entered into with them.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Syngenta further objects on the grounds that this Interrogatory is duplicative, not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects to sub-paragraph f. on the grounds that the same assumes facts not in evidence and mischaracterizes the legal guidelines, rules, regulations and laws regarding the reporting of certain laboratory or research investigations or reports to various governmental entities and/or organizations. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

15. Have you placed or caused to be placed advertisements referencing atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products in any magazines, newspapers, periodicals, trade journals, catalogues, directories, brochures, circulars, or similar written or printed material? If so:
- a. Identify each advertisement, the date of such advertisement, the publication or other document in which such advertisement appeared, and the area of distribution of the publication or other document in which such advertisement appeared;
  - b. State the exact wording of each advertisement.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Syngenta objects to this Interrogatory on the grounds that the same seeks information which constitutes trade secrets and is highly confidential from business and competitive standpoints, including among various

Defendants who are parties to parallel litigation. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, the information requested in this Interrogatory is at least partially available in the public domain from publications, web sites and otherwise and is equally available to Plaintiff.

16. Identify all national and international factories, plants, or facilities where you manufacture or have manufactured atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products. For each facility:
  - a. Identify its name, location, and physical address;
  - b. Describe and list what products you manufacture(d) there by name, quantity, chemical composition/make-up, and year;
  - c. Describe and list who you sold the products to, and the purchaser's physical address and location;
  - d. Identify when it first began manufacturing the products and when (if applicable) it ceased manufacturing.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that it will respond at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

17. In all regions, states, countries, or other areas where atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products have been banned, restricted, or are no longer used, describe the product that you are selling for use on the same crops that the banned, restricted, or no longer used product was intended for. For each such product:

- a. State the name;
- b. Indicate when it was developed, manufactured, marketed, supplied, and/or sold;
- c. Identify the quantities you sold by year, and to whom;
- d. Identify the geographic markets (i.e., country, state, county, city) in which it was sold (including the corresponding dates);
- e. Identify what markets it was used in;
- f. Identify the product for which it is intended to be used with, or mixed, blended or made into;
- g. Identify when it was *first* developed, marketed, and sold;
- h. Identify the cost of producing it;
- i. Identify the revenue and/or profit you made on it;
- j. Identify who first approved of or made the decision to start making, producing, or selling it.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing, and the phrases "restricted" and "are no longer used" is vague, overbroad, burdensome, oppressive, harassing, and call for guess and speculation on the part of Syngenta. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects on the grounds that sub-paragraph d. is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects to sub-paragraphs h. and i. on the grounds that the same are irrelevant and immaterial to any issue in this case, seek information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and are beyond the scope of permissible discovery in that, among other things, Plaintiff's claim for punitive damages has been dismissed by the Court. Syngenta further objects on the grounds that the information sought in this Interrogatory is at least partially available in the public domain via web sites and otherwise, and is equally available to the Plaintiff.

18. Before you *first made* atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products, did you perform or cause someone to perform any studies, surveys, reports, evaluations or other investigations of

such products, including but not limited to studies regarding their environmental and/or health effects? If so:

- a. Describe each and every study, survey, report, evaluation, and/or investigation performed on your behalf, including the title, person(s) who conducted the study or testing, the date conducted, the issue(s) studied or tested, and what you did with the results;
- b. Identify all documents related to your decision to perform or cause someone to perform each study, survey, report, evaluation, and/or investigation of the products;
- c. Identify all documents related to any analysis or consideration of the results of the study, survey, report, evaluation, and/or investigation of the products.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects to inquiry regarding any alleged environmental effects of Atrazine on the grounds that the Amended Complaint in paragraph 8 refers to adverse reactions in humans and the purported common questions alleged in paragraph 23 address only whether Atrazine is harmful to humans, so that this Interrogatory is overbroad, seeks information which is irrelevant and immaterial to any issue in this case, and seeks information which is beyond the permissible scope of discovery. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

19. Identify each and every trade association, trade organization, industry group, committee, and/or lobbying group that you have been a member of at any time relating to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products. For each such organization:
  - a. Identify the aspects of atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products that the group addressed;

- b. Identify the person employed or hired by you who was a member of or representative to the group;
- c. Indicate the dates that you have been a member;
- d. Indicate any transfer of money, funding, donation, or other form of value between you and the group, and indicate why such a transfer was made.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Moreover, Syngenta objects on the grounds that this Interrogatory seeks to violate and invade Syngenta's freedoms of speech, assembly, and association guaranteed by the First and Fourteenth Amendments, its freedom to petition for redress of grievances under the First Amendment, its rights to procedural and substantive due process under the Fourteenth Amendment, and its rights to equal protection of the law under the Fifth and Fourteenth Amendments, and the Illinois and other applicable state constitutional equivalents thereof.

20. Have you attempted to calculate or analyze your share of the market of atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products, or the share of the market of other manufacturers? If so, list your share of the market, and/or the share of the market for other manufacturers, per year known for atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Syngenta objects to this Interrogatory on the grounds that the same, to the extent they may exist, seeks information which constitutes trade secrets and is highly confidential from business and competitive standpoints, including among various Defendants who are parties to parallel litigation. Moreover, Syngenta objects on the grounds that this Interrogatory is overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Further objecting, Syngenta states that inquiry into Syngenta's or others' "share of the market" seeks legal conclusions, seeks

information that is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery on the grounds that, among other things, the law in the State of Illinois does not recognize market share, enterprise, or any other theory of collective liability, and the same is also burdensome, oppressive, harassing, and seeks to embarrass and annoy Syngenta and the other parties referenced in said Interrogatory. Additionally, Syngenta objects on the grounds that the information sought in this Interrogatory is at least partially available in the public domain via web sites and otherwise, and is equally available to the Plaintiff.

21. Describe what steps you have taken to prevent atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products from contaminating water resources, specify the time period in which such steps were taken, and specify who was involved in each stage of the process.

RESPONSE: See objections to Definitions 2, 11, 12 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that the term "contaminating" assumes facts not in evidence and mischaracterizes the legal, permissible presence at certain levels of Atrazine and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, in raw and treated drinking water. Additionally, Syngenta objects on the grounds that this Interrogatory is overbroad, burdensome, oppressive, harassing, not limited in time, geography or specific or limited customers or areas or to the State of Illinois, or even to the United States, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory also seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects to the extent that this Interrogatory improperly seeks to inquire regarding post-remedial measures and/or post-sale duties to warn. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

22. Identify each insurance policy in which you are a named insured and which you claim covers you for the events alleged against you in this action. Include in your answer the insurance carriers, policy numbers, types of policies, policy limits, policy periods, the name of all insureds and additional insureds under each policy, and the amount of coverage provided by each policy.

RESPONSE: See objection to Definition 13 above. Syngenta further objects to this Interrogatory to the extent that the requested information is extremely voluminous. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that it will respond to this Interrogatory with a listing of the insurers, policy dates and policy periods at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

23. Provide your corporate history, including, at a minimum:
- a. The date of formation or first incorporation;
  - b. The state in you were formed or first incorporated;
  - c. Your present state of incorporation (if different from initial incorporation);
  - d. Any corporate or business name changes;
  - e. Any purchases by or mergers with you of any other business or corporation, and the dates these occurred;
  - f. The states and countries in which you are authorized to do business;
  - g. The name and address of all parent and subsidiary corporations; and
  - h. The corporate relationship among all of your parent and subsidiary corporations.

RESPONSE: See objections to Definition 13 above. Syngenta further objects to this Interrogatory on the grounds that it is vague as to "at a minimum" overbroad, burdensome, oppressive, harassing, seeks information which is irrelevant and immaterial to any issue in this case, is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, Syngenta objects on the grounds that this Interrogatory seeks information which is available in the public domain through various means, including web sites and governmental documents, and is equally available to Plaintiff. Syngenta further objects on the grounds that this Interrogatory calls for legal conclusions to the extent it seeks information regarding the "corporate relationship among all of your parent and subsidiary corporations." Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that it will respond to this Interrogatory at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

24. Have you or have you had a research and development department or division that performs or has performed work relating to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products? If so:
- State the name of each such department or division and the date the department or division was created;
  - Identify each person involved with creative input or control over the research and development pertaining to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products since you began making such products.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the terms "work" and "constituents" are vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond with information reasonably available to it at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

25. From the year in which you first began making atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products to the present, identify each person who has held the following positions in your company or its predecessors, and state the inclusive dates during which each person held the position:
- Board of Directors member;
  - Chief Executive Officer;
  - Chief Financial Officer;
  - Director of Marketing, or equivalent, who was responsible for marketing atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products throughout the United States;
  - Director of Marketing, or equivalent, who was responsible for marketing atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products throughout Illinois;
  - Toxicologist, or equivalent, who was responsible for assessing the health risks associated with atrazine, atrazine-containing products, triazines, triazine-

- containing products, and/or constituents or degradates of such products;
- g. Endocrinologist, or equivalent, who was responsible for assessing the health risks associated with atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products;
- h. Environmental Health and Safety Manager, or equivalent, who was responsible for environmental, health, and safety issues including but limited to water contamination related to atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Syngenta objects to this Interrogatory on the grounds that it is overbroad, burdensome, oppressive, harassing, seeks to embarrass and annoy senior officers and directors of Syngenta, seeks information which is irrelevant and immaterial to any issue in this case, is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois (except for sub-paragraph e.), and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta further objects to the inquiry in sub-paragraph h. regarding any alleged "environmental...issues," in that the same is really inquiring with respect to environmental effects of Atrazine, which inquiry is objectionable on the grounds that the Amended Complaint in paragraph 8 refers to adverse reactions in humans and the purported common questions alleged in paragraph 23 address only whether Atrazine is harmful to humans, so that this Interrogatory is overbroad, seeks information which is irrelevant and immaterial to any issue in this case, and seeks information which is beyond the permissible scope of discovery. Additionally, Syngenta objects on the grounds that this Interrogatory seeks information which is available in the public domain through various means, including Annual Reports and governmental filings, and is equally available to Plaintiff. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, to the extent it has responsive information, it will respond as limited regarding persons presently holding the positions set forth in sub-paragraphs d. (limited to the State of Illinois)-h., inclusive, at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

26. Identify by name, job description, and current (or last known) business address each person who has supplied any answers or information for, or assisted in locating any

documents or tangible things for your answers to these interrogatories and/or responses to the accompanying requests for production.

RESPONSE: See objections to Definition 13 above. Subject to the forgoing objections and without waiving the same, and subject to the hearing on its Motion for Protective Order, see Verification. Further responding, see Syngenta's Objections and Responses to Plaintiff's First Request to Produce, filed contemporaneously herewith.

27. Describe all studies, surveys, reports, or other investigations done by you or at your request, direction, or expense (in whole or in part), or of which you are aware relating to the health effects of atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products. In your response, please include the name(s) and address(es) of the author(s)/researcher(s) responsible for each study, the date(s) of each study, the purpose(s) of each study, your reaction to the finding(s) of each study, and what governmental entity(ies) you reported the finding(s) to, and when.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Syngenta further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, self-critical analysis privilege, common interest doctrine, joint defense privilege, consulting expert privilege, and any other applicable legal privilege or protection. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta also objects to the inquiry regarding "your reaction to the finding(s) of each study" on the grounds that the same is vague, ambiguous, overbroad, and calls for guess and speculation on the part of Syngenta. Additionally, Syngenta objects to this Interrogatory on the grounds that the same is: overbroad, burdensome, oppressive and harassing; not reasonably limited in time, geography or to Syngenta Crop Protection, Inc.; many of the requested information is available in the public domain or through the USEPA web site, or otherwise and, therefore, is equally available to Plaintiff; and that the time and expense involved in searching for and retrieving the requested information and all the documents requested herein is extra-ordinary and should be reimbursed to Syngenta, and no such provision has yet been established between the parties or by order of the Court. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond at a reasonable date and place in the future to be

agreed to between the parties or as otherwise ordered by the Court.

28. Describe all studies, surveys, reports, or other investigations done by you, at your request, direction, or expense (in whole or in part), or of which you are aware relating atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents or degradates of such products contaminating water resources. In your response, please include the name(s) and address(es) of the author(s)/researcher(s) responsible for each study, the date(s) of each study, the purpose(s) of each study, your reaction to the finding(s) of each study, and what governmental entity(ies) you reported the finding(s) to, and when.

RESPONSE: See objections to Definitions 2, 11, 12 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Syngenta further objects on the grounds that the term "contaminating" assumes facts not in evidence and mischaracterizes the legal, permissible presence at certain levels of technical and/or commercial grade Atrazine and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, in raw and treated drinking water. Syngenta further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, self-critical analysis privilege, common interest doctrine, joint defense privilege, consulting expert privilege, and any other applicable legal privilege or protection. Additionally, Syngenta objects to inquiry regarding any alleged "contaminating water resources," in that the same is really inquiring with respect to environmental effects (and the like) of Atrazine, which inquiry is objectionable on the grounds that the Amended Complaint in paragraph 8 refers to adverse reactions in humans and the purported common questions alleged in paragraph 23 address only whether Atrazine is harmful to humans, so that this Interrogatory is overbroad, seeks information which is irrelevant and immaterial to any issue in this case, and seeks information which is beyond the permissible scope of discovery. Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Syngenta also objects to the inquiry regarding "your reaction to the finding(s) of each study" on the grounds that the same is vague, ambiguous, overbroad, and calls for guess and speculation on the part of Syngenta. Additionally, Syngenta objects to this Interrogatory on the grounds that the same is: overbroad, burdensome, oppressive and harassing; not reasonably limited in time, geography or to Syngenta Crop Protection, Inc.; many of the requested information is available in the public domain or through the USEPA web site, or otherwise and, therefore, is equally available to Plaintiff; and that the time and expense involved in searching for and retrieving the requested information and all the documents requested herein is extra-ordinary and should be reimbursed to Syngenta, and no such provision has

yet been established between the parties or by order of the Court. Subject to the foregoing objections, and without waiving the same, subject to the hearing on its Motion for Protective Order, and to the extent that the requested information or documents are already in existence and reasonably available in the form requested by Plaintiff, Syngenta states that upon completion of its review of business records it has available and it is currently reviewing, it will respond at a reasonable date and place in the future to be agreed to between the parties or as otherwise ordered by the Court.

29. Describe all studies, surveys, reports, or other investigations done by you, at your request, direction, or expense (in whole or in part), or of which you are aware discussing the benefits, advantages, and/or disadvantages of atrazine, atrazine-containing products, triazines, triazine-containing products, and/or constituents of such products as compared to other products. In your response, please include the name(s) and address(es) of the author(s)/researcher(s) responsible for each study, the date(s) of each study, the purpose(s) of each study, your reaction to the finding(s) of each study, and what governmental entity(ies) you reported the finding(s) to, and when.

RESPONSE: See objections to Definitions 2, 11 and 13 above. Syngenta further objects on the grounds that the term "constituents" is vague, ambiguous, undefined, overbroad, burdensome, oppressive and harassing. Syngenta also objects to the inquiry regarding "your reaction to the finding(s) of each study" on the grounds that the same is vague, ambiguous, overbroad, and calls for guess and speculation on the part of Syngenta.

Moreover, Syngenta objects on the grounds that this Interrogatory is vastly overbroad and is not limited in time, geography or specific or limited markets, or to the State of Illinois, and includes substances other than technical and/or commercial grade Atrazine, and the three (3) breakdown substances identified by Plaintiff in its Amended Complaint and set forth in Response to Definition 2 above, such that this Interrogatory seeks information which is irrelevant and immaterial to any issue in this case, seeks information which is not reasonably calculated to lead to the discovery of admissible evidence at trial, and is beyond the scope of permissible discovery. Additionally, the information requested in this Interrogatory is available in the public domain and docket from the USEPA web site and otherwise (see certain studies listed in Plaintiff's Attachment A to its First Request to Produce filed contemporaneously herewith) and is equally available to Plaintiff.

Moreover, Syngenta objects on the grounds that this Interrogatory seeks to violate and invade Syngenta's freedoms of speech, assembly, and association guaranteed by the First and Fourteenth Amendments, its freedom to petition for redress of grievances under the First Amendment, its rights to procedural and substantive due process under the Fourteenth Amendment, and its rights to equal protection of the law under the Fifth and Fourteenth Amendments, and the Illinois and other applicable state constitutional equivalents thereof.

Dated: 6/22/09

**AS TO OBJECTIONS ONLY:**

Respectfully submitted,  
**REEG LAWYERS, LLC**

BY: Kurtis B. Reeg

Kurtis B. Reeg, ARDC #3126350  
One North Brentwood Blvd., Suite 950  
St. Louis, MO 63105  
Telephone: (314) 446-3350  
Facsimile: (314) 446-3360  
[kreeg@reeglawfirm.com](mailto:kreeg@reeglawfirm.com)

– and –

**ADAMS & REESE, LLP**

Mark C. Surprenant, (*admitted pro hac vice*)  
One Shell Plaza, Suite 4500  
New Orleans, LA 70139  
Telephone: (504) 581-3234  
Facsimile: (504) 566-0210

*Attorneys for Defendant Syngenta Crop  
Protection, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 22<sup>nd</sup> day of June, 2009, I caused to be served the attached via **Hand Delivery**, upon the following counsel:

TO: Stephen M. Tillery, Esq.  
Christine Moody, Esq.  
Korein Tillery, L.L.C.  
U.S. Bank Plaza  
505 North 7<sup>th</sup> Street, Suite 3600  
St. Louis, MO 63101

with a copy sent via United States mail, properly addressed and postage paid, upon the following counsel:

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

**Attorneys for Plaintiff**  
**HOLIDAY SHORES SANITARY DISTRICT**



---