

ON PETITION TO THE SUPREME COURT OF ILLINOIS

HOLIDAY SHORES SANITARY DISTRICT; CITY OF FLORA, ILLINOIS; CITY OF FAIRFIELD, ILLINOIS; CITY OF HILLSBORO, ILLINOIS; CITY OF MATTOON, ILLINOIS; CITY OF LITCHFIELD, ILLINOIS; and CITY OF MOUNT OLIVE, ILLINOIS, individually and on behalf of all others similarly situated,

Plaintiffs-Respondents,

vs.

SYNGENTA CROP PROTECTION, INC., AND GROWMARK, INC.,

Defendants-Petitioners.

Petition for Leave to Appeal from the Fifth District Appellate Court

There Heard on Application for Leave to Appeal Under Rule 308 from the Third Judicial Circuit Madison County, Illinois No. 04-L-710

The Honorable Barbara Crowder, Judge Presiding.

PLAINTIFFS-RESPONDENTS' MOTION FOR LEAVE TO FILE UNDER SEAL INSTANTER MATERIALS CONTAINING CONFIDENTIAL INFORMATION

Plaintiffs-Respondents respectfully move this Court for leave to file under seal, *instanter*, the attached Declaration of Christie R. Deaton containing information designated by the Defendant in this cause as confidential for consideration with Plaintiffs-Respondents' Response to Syngenta Crop Protection, Inc.'s Petition for Leave to Submit Additional Authority in Support of its Petition for Leave to Appeal. In support of their motion, Plaintiffs-Respondents state:

1. On August 31, 2009, the Circuit Court entered a protective order authorizing the parties to file under seal documents that the producing parties designated as containing confidential and highly confidential material, such as trade secrets and sensitive business information.

2. Pursuant to that protective order, SCPI has designated a number of documents as "confidential." Plaintiffs-Respondents' Response to Syngetna's Motion to Cite Additional Authority requires discussion of certain documents so designated. Plaintiffs-Respondents thus seek leave to file the Declaration of Christie R. Deaton that contains these documents as exhibits under seal.

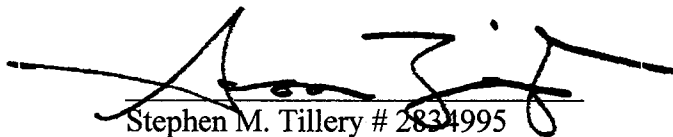
3. Plaintiffs-Respondents' Response is due immediately, therefore, Plaintiffs-Respondents' further request that their motion be granted, *instanter*.

WHEREFORE, for the foregoing reasons, Plaintiffs-Respondents respectfully request that this Court grant this motion and allow the filing of its Response under seal, *instanter*.

Respectfully submitted,

KOREIN TILLERY

Dated: May 23, 2011



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