

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

CITY OF GREENVILLE, ILLINOIS, et al.)
individually and on behalf of all others similarly situated,)
)
Plaintiffs,)
v.)
)
SYNGENTA CROP PROTECTION, INC., and)
SYNGENTA AG,)
)
)
Defendants.)

Case No. 3:10-cv-188-JPG

**DEFENDANT SYNGENTA CROP PROTECTION, LLC’S
MOTION FOR ORAL ARGUMENT ON ITS MOTION FOR SUMMARY JUDGMENT
ON THE CLAIMS OF PLAINTIFF CITY OF MARION, KANSAS**

Defendant, Syngenta Crop Protection, LLC (“Syngenta”), under SDIL-LR 7.1(h), respectfully moves for the Court to schedule oral argument on Syngenta’s Fed. R. Civ. P. 56(c) Motion for Summary Judgment on all of the claims of Plaintiff, City of Marion, Kansas (“Marion”) in order to allow Syngenta an opportunity to respond to any arguments raised by Marion. Dkt. 260.

Syngenta’s Motion for Summary Judgment was filed on November 30, 2011. *See* Dkt. 260. It is anticipated that Plaintiff Marion will file a written response within the allotted 14 days. SDIL-LR 7.1(g). According to the rules of the United States District Court for Southern District of Illinois, a reply brief to Plaintiff’s response would “not [be] favored and should be filed only in exceptional circumstances.” *Id.* Because reply briefs are not favored in this Court, Syngenta respectfully requests that the Court grant its motion for oral argument so that Syngenta may reply to Marion’s written response.

Syngenta believes oral argument on this motion would be helpful to the Court. This motion is directed to an individually named Plaintiff and its ability to bring the multiple claims it asserts as a named representative in this putative class action.

Oral argument will assist the Court in ruling on Syngenta's Motion for Summary Judgment because it will help simplify the issues before the Court and give the Court an opportunity to raise any questions. Additionally, oral argument should help save the Court valuable time and resources and otherwise assist the Court. Syngenta therefore respectfully moves the Court to grant and schedule oral argument on Defendant Syngenta's Motion for Summary Judgment.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system to all counsel of record, this 30th day of November, 2011 to:

/s/ Kurtis B. Reeg