

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

CITY OF GREENVILLE, ILLINOIS, <i>et al.</i> ,)	
)	
Individually and on behalf of all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 10-188-JPG
)	
SYNGENTA CROP PROTECTION, INC.,)	
and SYNGENTA AG,)	
)	
Defendants.)	

**MEMORANDUM AND
ORDER TO SHOW CAUSE**

Before the Court is the plaintiffs' Motion to Substitute Brief (Doc. 116). The Court hereby **GRANTS** the Motion (Doc. 116) and **ORDERS** that the plaintiffs shall have up to and including December 27, 2010, to electronically file their substitute motion to strike. The original motion to strike (Doc. 114) is **DENIED as moot** in light of the anticipated substitute motion.

In addition, it is not immediately apparent why the plaintiffs filed their motions under seal. Court records are presumptively open to the public. The Seventh Circuit Court of Appeals has observed:

What happens in the halls of government is presumptively public business. Judges deliberate in private but issue public decisions after public arguments based on public records. The political branches of government claim legitimacy by election, judges by reason. Any step that withdraws an element of the judicial process from public view makes the ensuing decision look more like fiat, which requires compelling justification.

Union Oil Co. of Cal. v. Leavell, 220 F.3d 562, 568 (7th Cir. 2000). The Court **ORDERS** the plaintiffs to **SHOW CAUSE** on or before January 3, 2011, why their motion to strike (Doc. 114), its exhibits (Doc. 115), their motion to substitute (Doc. 116), (and their forthcoming

substitute motion) should not be unsealed. The defendants shall have ten days from the plaintiffs' filing to respond.

DATED: December 21, 2010

s/J. Phil Gilbert
Judge J. Phil Gilbert