

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**IN RE SYNGENTA AG MIR162 CORN
LITIGATION**

THIS DOCUMENT RELATES TO:

*The DeLong Co., Inc. v. Syngenta AG,
et al., No. 2:17-cv-02614-JWL-JPO*

Master File No. 2:14-MD-02591-JWL-JPO

MDL No. 2591

ORDER AMENDING SCHEDULING ORDER

Pursuant to Paragraph 2(d) of the Court's Scheduling Order (ECF No. 11), Plaintiff The DeLong Co., Inc. ("DeLong") and Defendants Syngenta AG, Syngenta Crop Protection AG, Syngenta Corporation, Syngenta Crop Protection, LLC and Syngenta Seeds, LLC (collectively, "Syngenta") met and conferred regarding the number of fact depositions for each side. DeLong and Syngenta have requested that Paragraph 2(d) of the Scheduling Order be amended to reflect the stipulation and agreement of the parties as to the following discovery limitations:

d. Based upon the preliminary Rule 26(a) disclosures served by each of the Parties and subject to changes for good cause as provided in Paragraph 2.d. of the Scheduling Order, DeLong and Defendants agree that DeLong and the Defendants (collectively) shall each be permitted to take up to 12 fact depositions, which includes any Fed. R. Civ. P. 30(b)(6) depositions. For the avoidance of doubt, a single notice of deposition under Rule 30(b)(6) counts as one deposition, regardless of the number of witnesses designated. This paragraph concerns the overall number of fact depositions per side: each side retains the right to object to the requested deposition of any particular person on other grounds. Each deposition, whether fact or expert, must be limited to seven (7) hours in accordance with Federal Rule Civil Procedure Rule 30(d)(1). All depositions must be governed by the written guidelines that are available on the court's website: <http://www.ksd.uscourts.gov/wp-content/uploads/2015/10/depoguidelines.pdf>

All other provisions of the Scheduling Order shall continue in full force and effect without change.

IT IS SO ORDERED.

Dated July 10, 2019, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge