

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

IN RE: SYNGENTA AG MIR162	)	MDL No. 2591
CORN LITIGATION	)	
	)	Case No. 14-MD-02591-JWL-JPO
This Document Relates to All Cases <u>Except</u> :	)	
	)	
<i>Louis Dreyfus Co. Grains</i>	)	
<i>Merchandising LLC v. Syngenta AG,</i>	)	
No. 16-2788	)	
	)	
<i>Trans Coastal Supply Co., Inc. v.</i>	)	
<i>Syngenta AG, No. 14-2637</i>	)	
	)	
<i>The Delong Co., Inc. v. Syngenta AG,</i>	)	
No. 17-2614	)	
	)	
<i>Agribase Int’l Inc. v. Syngenta AG,</i>	)	
No. 15-2279	)	
	)	
	)	

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**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

**DISTRICT COURT  
FOURTH JUDICIAL DISTRICT**

IN RE: SYNGENTA LITIGATION

Case Type: Civil Other  
Hon. Laurie J. Miller

This Document Relates to:  
All Cases

FILE NO. 27-CV-15-12625  
and FILE NO. 27-CV-15-3785

**SUPPLEMENT TO MOTION OF PAUL BYRD LAW FIRM, PLLC, ON BEHALF OF  
ITSELF AND ITS CLIENTS AS WELL AS ASSOCIATED FIRMS FOR AWARD OF  
ATTORNEYS FEES AND REIMBURSEMENT OF COSTS**

Paul Byrd Law Firm, PLLC, and all of its team<sup>1</sup>, by itself and jointly with other law firms (collectively, “PBLF Law” or the “Firm”), submits this Supplement on behalf of the Firm and the

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<sup>1</sup> The Paul Byrd Law Firm, PLLC team consists of five firms (Paul Byrd Law Firm, PLLC; The Kelly Law Firm, P.A.; James J. Thompson, Jr. Firm; The Awbrey Firm; and the Clark Mason Law Firm) along with a network of 20+ referring law firms. Specifically, Odom Law Firm, Gale Lush Law Firm, and DeVaughn James Injury lawyers spent enormous amount of time and effort to litigate this case as evidenced by the declarations filed by each firm.

Firm's clients (the "PBLF Plaintiffs") (collectively, "Movants"), pursuant to MDL Court's Order Preliminarily approving the class action settlement in this case and dated April 10, 2018 [Doc. 2591] and Federal Rule of Civil Procedure 23 to supplement its previously submitted Motion for Award of Attorneys' Fees and Reimbursement of Costs (the "PBLF Fee Motion") in both the District Court of Kansas and in Minnesota State Court actions. The Firm was one of many such petitioners who filed similar motions for fees. On July 18, 2018, the District Court of Kansas issued an "Order Regarding Attorney Fee Submissions" (the "Order") which requires, in relevant part, that Petitioners (such as this Firm) supplement their respective fee petitions with a fee and expense form created by the Court. Movants are filing this pleading in the District Court of Kansas and in Minnesota State Court since the Firm also filed the initial PBLF Fee Motion in both Courts.

There are eight Declarations attached separately as Exhibits. Each Declaration is from a representative of the eight firms who originally filed Declarations in the original Fee Petition and Brief in Support (Doc. 3583 and 3586).

Attached to each Declaration as Exhibit 1 is the PDF version of the spreadsheet required by the Court. Consistent with the Order, Movants have submitted the native Excel version of this spreadsheet by email to the Special Masters. Movants further note that the attached is a summary, only, of the hourly time and expenses submitted to the Court in the previously filed PBLF Fee Motion. It does not include the hundreds of hours the Firm expects to spend assisting clients with settlement paperwork until the claim submission process is complete.

In addition to the provision of this spreadsheet, Movants note the following. First, the contingency fee agreements for all PBLF clients are available for inspection by the Court if it so desires. Also, if the Court requests it, the Firm can provide a listing of the precise terms of each

fee agreement. The overwhelming majority of the fee contracts range between thirty percent (30%) and thirty-three and one-third percent (33 1/3%) plus expenses.

Second, a substantially similar spreadsheet attached as Exhibit 1 to Exhibit A (Declaration of Paul Byrd) is being submitted by the Minnesota Co-Leads due to PBLF being appointed to the Executive Committee on behalf of all Plaintiffs in the Minnesota action. There is one critical difference between that spreadsheet and the spreadsheet attached to this Supplement. In this spreadsheet, there is an additional tab for non-Common Benefit expenses that was not included in the spreadsheet being submitted by the Minnesota Co-Leads. PBLF is requesting reimbursement of all expenses.

Because the Firm does not know the extent to which this Court may approve all or part of its CB fee request, the Firm submitted itemized hourly fees that included all CB and non-CB work with the previous PBLF Fee Motion (and in the attached spreadsheet). If the Firm is ultimately compensated for non-CB work on an hourly basis, it agrees that any approved CB hourly fee should not be paid again as non-CB hourly fee.

To conclude, Movants request payment of the Firm's fees and expenses as requested in its Motion. Further, Movants reserve the right to further supplement its Motion and (consistent with the Order) file a reply to any response to the filed fee motions to further support Petitioners' position, including but not limited to, discussion of Movants' entitlement to fees as a signatory to certain Joint Prosecution Agreements ("JPA") in this matter and discussed in other firms' fee petitions.

Dated: August 3, 2018

Respectfully submitted,

/s/ Paul Byrd

/s/ Joseph D. Gates

Paul Byrd (AR Bar #85020)

Joseph D. Gates (AR Bar #2010239)

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*Pro Hac Vice Admitted*

*Attorneys for Plaintiff*



# EXHIBIT A

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

IN RE: SYNGENTA AG MIR162	)	MDL No. 2591
CORN LITIGATION	)	
	)	
This Document Relates to All Cases <u>Except</u> :	)	Case No. 14-MD-02591-JWL-JPO
	)	
<i>Louis Dreyfus Co. Grains</i>	)	
<i>Merchandising LLC v. Syngenta AG,</i>	)	
No. 16-2788	)	
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<i>Trans Coastal Supply Co., Inc. v.</i>	)	
<i>Syngenta AG, No. 14-2637</i>	)	
	)	
<i>The Delong Co., Inc. v. Syngenta AG,</i>	)	
No. 17-2614	)	
	)	
<i>Agribase Int'l Inc. v. Syngenta AG,</i>	)	
No. 15-2279	)	
	)	
	)	

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**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

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**DISTRICT COURT  
FOURTH JUDICIAL DISTRICT**

IN RE: SYNGENTA LITIGATION

Case Type: Civil Other  
Hon. Laurie J. Miller

This Document Relates to:  
All Cases

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FILE NO. 27-CV-15-12625  
and FILE NO. 27-CV-15-3785

**DECLARATION OF PAUL BYRD OF PAUL BYRD LAW FIRM, PLLC, JOINING AND  
IN FURTHER SUPPORT OF THE PAUL BYRD LAW FIRM, PLLC SUPPLEMENT TO  
THE FEE & EXPENSE APPLICATION**

I, Paul Byrd, declare as follows:

1. I am over the age of twenty-one years old and make this declaration based on my personal knowledge. If called as a witness, I could and would testify competently to the facts contained herein, which are true and correct.

2. I am the managing partner of Paul Byrd Law Firm, PLLC (hereinafter “the Firm”).  
I am authorized to submit this declaration on the Firm’s behalf.

3. I submit this declaration in support of the Supplement to the Paul Byrd Law Firm, PLLC Fee & Expense Application (“the Application Supplement”), filed pursuant to Section 7.2.1 of the Agrisure Viptera/Duracade Class Settlement Agreement (the “Settlement Agreement”) in *In Re: Syngenta AG MIR 162 Corn Litigation*, a multi-district litigation consolidated in the United States District Court for the District of Kansas before Hon. John W. Lungstrum (MDL-2591), and *In Re: Syngenta Litigation*, a Minnesota Consolidated Proceeding consolidated in the Fourth Judicial District Court, Hennepin County, Minnesota, before Hon. Laurie Miller (formerly Hon. Thomas Sipkins) (File Nos. 27-CV-15-3785 & 27-cv-15-12625).

4. The spreadsheet attached as Exhibit 1 to this Declaration was created from, and is a summary of, the itemized hourly fee information provided to the Court as Exhibit A to the Application.

5. A very similar spreadsheet for the Paul Byrd Law Firm is being submitted the Minnesota Co-Leads. The difference between to the two sheets is that we created additional tab to capture the non-Common Benefit Expenses. The hourly fee tab and the Common Benefit expenses tab is the same as what the Minnesota Co-Leads are submitting.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 3rd day of August, 2018, in Little Rock, AR.



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Paul Byrd

# EXHIBIT 1

LEGAL FEES		Approved Common Benefit Work		Other Work		Notes
TASK PERFORMED	TIMEKEEPER	Hours	Fees	Hours	Fees	
Complaint drafting	Attorneys	0.60	\$300.00	272.60	\$132,910.00	Prepared and filed 50 individual Complaints and Notices to Conform
	Contract Attorneys	0.00	\$0.00	0.00	\$0.00	
	Non-attorneys	0.00	\$0.00	163.10	\$244,665.00	Processing client information in order to file individual complaints
Dipositive motion briefing/argument	Attorneys	166.60	\$83,660.00	46.00	\$24,950.00	Fed Court
	Contract Attorneys	0.00	\$0.00	0.00	\$0.00	
	Non-attorneys	0.00	\$0.00	0.00	\$0.00	
Class certification motion briefing and argument	Attorneys	18.30	\$6,405.00	0.00	\$0.00	
	Contract Attorneys	0.00	\$0.00	0.00	\$0.00	
	Non-attorneys	0.00	\$0.00	0.00	\$0.00	
DISCOVERY, DEPOSITIONS, DOC REVIEW						
Plaintiff fact sheet preparation/review	Attorneys	908.21	\$386,885.50	817.10	\$429,535.00	Answering 2,700+ PFS in Fed MDL and MN MDL
	Contract Attorneys	0.00	\$0.00	0.00	\$0.00	
	Non-attorneys	4282.67	\$459,619.75	14125.88	\$1,465,838.00	
Paper discovery (Syngenta and third parties)	Attorneys	29.15	\$14,312.50			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Paper discovery against plaintiffs	Attorneys	36.30	\$14,300.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Discovery motion practice and communications with adverse parties	Attorneys	25.80	\$11,640.00	12.00	\$6,000.00	
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Fact depositions (Syngenta and third parties)	Attorneys	28.70	\$10,045.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Defend fact depositions (of plaintiffs)	Attorneys	174.25	\$110,242.50	12.70	\$4,445.00	
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Discovery file management	Attorneys	8.10	\$5,115.00	1073.20	\$536,000.00	
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
EXPERT WORK, DAUBERT MOTIONS						
Plaintiffs' expert witness work (including development of report, defense of depositions)	Attorneys	29.50	\$18,265.00	50.00	\$32,500.00	
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Defendant expert witness work (depositions)	Attorneys	100.40	\$50,020.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Daubert motion practice (plaintiff experts)	Attorneys	14.30	\$5,005.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Daubert motion practice (defense experts)	Attorneys	0.00	\$0.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
PRETRIAL PREP, TRIAL, AND POST TRIAL						
Motions in limine	Attorneys	1.80	\$810.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			

Trial (presenting witnesses and argument)	Attorneys	175.10	\$87,490.00	28.00	\$9,800.00	
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Trial briefing and jury intructions	Attorneys	0.80	\$520.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Other pretrial motion practice	Attorneys	0.00	\$0.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
Post-trial briefing	Attorneys	0.00	\$0.00			
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
<b>SETTLEMENT AND SETTLEMENT ADMINISTRATION</b>						
Pre-settlement communication with clients	Attorneys	0.00	\$0.00	384.50	\$234,925.00	
	Contract Attorneys	0.00	\$0.00	0.00	\$0.00	
	Non-attorneys	0.00	\$0.00	0.00	\$0.00	
Settlement negotiations	Attorneys	42.80	\$23,050.00	102.00	\$48,300.00	Attended and participated in 4 post settlement hearings
	Contract Attorneys	0.00	\$0.00	0.00	\$0.00	
	Non-attorneys	0.00	\$0.00	0.00	\$0.00	
Assisting clients in perfecting claims in settlement	Attorneys	0.00	\$0.00	208.20	\$102,870.00	
	Contract Attorneys	0.00	\$0.00	0.00	\$0.00	
	Non-attorneys	0.00	\$0.00	856.92	\$101,042.00	
Preparation of fee petition	Attorneys	0.00	\$0.00	210.00	\$88,500.00	
	Contract Attorneys	0.00	\$0.00	0.00	\$0.00	
	Non-attorneys	0.00	\$0.00	261.75	\$26,175.00	
<b>ADMINISTRATIVE</b>						
Administrative work as court-appointed leadership	Attorneys	91.80	\$45,960.00	506.80	\$222,380.00	
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00			
<b>OTHER (describe in Notes)</b>						
	Attorneys	25.50	\$12,495.00	2764.60	\$1,355,535.00	CB Atty Time = Work related to Joint Prosecution Agreements
						Other Work Time = Client Communications, serving complaints, referring lawyer communications, strategy meetings, working on internal Access database & CLX doc depository, travel time to meet clients
	Contract Attorneys	0.00	\$0.00			
	Non-attorneys	0.00	\$0.00	89.40	\$13,410.00	
		6160.68	\$1,346,140.25	21984.75	\$5,079,780.00	

EXPENSES PAID	Amount	Notes
Common Benefit Assessment Fees	\$485,000.00	
Postage	\$158.48	
Photocopying	\$0.00	
Hotels	\$5,290.30	
Meals	\$1,134.47	
Mileage	\$4,908.07	
Air Travel	\$10,291.59	
Court Fees	\$0.00	
Transcript Fees	\$0.00	
Ground Transportation	\$911.11	
Expert/Consulting Fees Not Included in Common Benefit	\$0.00	
Special Master Fees	\$0.00	
Miscellaneous (Describe)	\$219.98	Parking at airports (\$146.98); hotel charge for internet (\$50.00); Purchasing transcripts from Rice case (\$23.00)
<b>TOTAL</b>	<b>\$507,914.00</b>	

EXPENSES PAID	Amount	Notes
Common Benefit Assessment Fees		
Postage	\$11,139.09	
Photocopying		
Hotels	\$6,594.68	
Meals	\$2,551.42	
Mileage	\$1,886.99	
Air Travel	\$12,253.32	
Court Fees	\$5,365.60	1/5th of Filing Fees & Process Server Fees
Transcript Fees	\$21.45	
Ground Transportation	\$1,138.85	
Expert/Consulting Fees Not Included in Common Benefit		
Special Master Fees		
Miscellaneous (Describe)	\$267,775.07	Database (\$193,536.42); Equipment (\$1,829.37); Legal Research (\$284.50); Various Items (\$459.85); Records/Audio/Video Requests (\$10,328.59); Employees (\$58,532.89); Storage Fees (\$432.00); Supplies (\$2,067.93); Telephone: (\$303.52)
<b>TOTAL</b>	<b>\$308,726.47</b>	



## EXHIBIT B

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

IN RE: SYNGENTA AG MIR162	)	MDL No. 2591
CORN LITIGATION	)	
	)	
This Document Relates to All Cases <u>Except</u> :	)	Case No. 14-MD-02591-JWL-JPO
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<i>Merchandising LLC v. Syngenta AG,</i>	)	
No. 16-2788	)	
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<i>Trans Coastal Supply Co., Inc. v.</i>	)	
<i>Syngenta AG, No. 14-2637</i>	)	
	)	
<i>The Delong Co., Inc. v. Syngenta AG,</i>	)	
No. 17-2614	)	
	)	
<i>Agribase Int'l Inc. v. Syngenta AG,</i>	)	
No. 15-2279	)	
	)	
	)	

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**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

**DISTRICT COURT  
FOURTH JUDICIAL DISTRICT**

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IN RE: SYNGENTA LITIGATION

Case Type: Civil Other  
Hon. Laurie J. Miller

This Document Relates to:  
All Cases

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FILE NO. 27-CV-15-12625  
and FILE NO. 27-CV-15-3785

**DECLARATION OF JERRY KELLY FOR KELLY LAW FIRM, P.A., JOINING AND  
IN FURTHER SUPPORT OF THE PAUL BYRD LAW FIRM, PLLC SUPPLEMENT TO  
THE FEE & EXPENSE APPLICATION**

I, Jerry Kelly, declare as follows:

1. I am of legal age, and I make this declaration based on our personal knowledge. If called as witnesses, I could and would testify competently to the facts contained herein, which are true and correct.

2. I am the sole principal of KELLY LAW FIRM, P.A. (hereinafter “the Firm”). I am authorized to submit this declaration on the Firm’s behalf.

3. I submit this declaration in support of the Supplement to the Paul Byrd Law Firm, PLLC Fee & Expense Application (“the Application Supplement”), filed pursuant to Section 7.2.1 of the Agrisure Viptera/Duracade Class Settlement Agreement (the “Settlement Agreement”) in *In Re: Syngenta AG MIR 162 Corn Litigation*, a multi-district litigation consolidated in the United States District Court for the District of Kansas before Hon. John W. Lungstrum (MDL-2591), and *In Re: Syngenta Litigation*, a Minnesota Consolidated Proceeding consolidated in the Fourth Judicial District Court, Hennepin County, Minnesota, before Hon. Laurie Miller (formerly Hon. Thomas Sipkins) (File Nos. 27-CV-15-3785 & 27-cv-15-12625).

4. The spreadsheet attached as Exhibit 1 to this Declaration was created from, and is a summary of, the itemized hourly fee information provided to the Court as Exhibit B to the Application.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 3rd day of August, 2018, in Lonoke, AR.

/s/ Jerry Kelly  
Jerry Kelly

## EXHIBIT 1

LEGAL FEES TASK PERFORMED	TIMEKEEPER	Approved Common Benefit Work		Other Work		Notes
		Hours	Fees	Hours	Fees	
Complaint drafting	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Dispositive motion briefing/argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Class certification motion briefing and argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>DISCOVERY, DEPOSITIONS, DOC REVIEW</b>						
Plaintiff fact sheet preparation/review	Attorneys	166.05	\$107,932.50			
	Contract Attorneys					
	Non-attorneys					
Paper discovery (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Paper discovery against plaintiffs	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery motion practice and communications with adverse parties	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Fact depositions (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defend fact depositions (of plaintiffs)	Attorneys	51.90	\$33,735.00			
	Contract Attorneys					
	Non-attorneys					
Discovery file management	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>EXPERT WORK, DAUBERT MOTIONS</b>						
Plaintiffs' expert witness work (including development of report, defense of depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defendant expert witness work (depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (plaintiff experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (defense experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>PRETRIAL PREP, TRIAL, AND POST TRIAL</b>						
Motions in limine	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Trial (presenting witnesses and argument)	Attorneys					
	Contract Attorneys					

	Non-attorneys					
Trial briefing and jury instructions	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Other pretrial motion practice	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Post-trial briefing	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>SETTLEMENT AND SETTLEMENT ADMINISTRATION</b>						
Pre-settlement communication with clients	Attorneys			321.10	\$208,715.00	
	Contract Attorneys					
	Non-attorneys					
Settlement negotiations	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Assisting clients in perfecting claims in settlement	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Preparation of fee petition	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>ADMINISTRATIVE</b>						
Administrative work as court-appointed leadership	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>OTHER (describe in Notes)</b>						
	Attorneys	34.00	\$22,100.00			Strategy Meeting; Focus Group/Mock Trial-Minneapolis, MN
	Contract Attorneys					
	Non-attorneys					
		251.95	\$163,767.50	321.10	\$208,715.00	

EXPENSES PAID	Amount	Notes
Common Benefit Assessment Fees	\$8,103.20	
Postage	\$12.80	
Photocopying		
Hotels	\$9,985.11	
Meals	\$2,768.93	
Mileage (Fuel)	\$1,377.59	
Air Travel	\$10,223.75	
Court Fees		
Transcript Fees		
Ground Transportation (Rental Cars)	\$3,950.09	
Expert/Consulting Fees Not Included in Common Benefit		
Special Master Fees		
Miscellaneous (Describe)PFS-IT Costs, Conf Calls, FSA Database, Parking	\$58,029.64	
<b>TOTAL</b>	<b>\$94,451.11</b>	

## EXHIBIT C



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

IN RE: SYNGENTA AG MIR162	)	MDL No. 2591
CORN LITIGATION	)	
	)	
This Document Relates to All Cases <u>Except</u> :	)	Case No. 14-MD-02591-JWL-JPO
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<i>Louis Dreyfus Co. Grains</i>	)	
<i>Merchandising LLC v. Syngenta AG,</i>	)	
No. 16-2788	)	
	)	
<i>Trans Coastal Supply Co., Inc. v.</i>	)	
<i>Syngenta AG, No. 14-2637</i>	)	
	)	
<i>The Delong Co., Inc. v. Syngenta AG,</i>	)	
No. 17-2614	)	
	)	
<i>Agribase Int'l Inc. v. Syngenta AG,</i>	)	
No. 15-2279	)	
	)	
	)	

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**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

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**DISTRICT COURT  
FOURTH JUDICIAL DISTRICT**

IN RE: SYNGENTA LITIGATION

Case Type: Civil Other  
Hon. Laurie J. Miller

This Document Relates to:  
All Cases

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FILE NO. 27-CV-15-12625  
and FILE NO. 27-CV-15-3785

**DECLARATION OF RUSSELL B. WINBURN OF ODOM LAW FIRM, JOINING AND  
IN FURTHER SUPPORT OF THE PAUL BYRD LAW FIRM, PPLC SUUPLEMENT TO  
THE FEE & EXPENSE APPLICATION**

I, Russell B. Winburn, declare as follows:

1. I am of legal age, and I make this declaration based on our personal knowledge. If called as witnesses, I could and would testify competently to the facts contained herein, which are true and correct.

2. I am a partner at Odom Law Firm, PA (hereinafter “the Firm”). I am authorized to submit this declaration on the Firm’s behalf.

3. I submit this declaration in support of the Supplement to the Paul Byrd Law Firm, PLLC Fee & Expense Application (“the Application Supplement”), filed pursuant to Section 7.2.1 of the Agrisure Viptera/Duracade Class Settlement Agreement (the “Settlement Agreement”) in *In Re: Syngenta AG MIR 162 Corn Litigation*, a multi-district litigation consolidated in the United States District Court for the District of Kansas before Hon. John W. Lungstrum (MDL-2591), and *In Re: Syngenta Litigation*, a Minnesota Consolidated Proceeding consolidated in the Fourth Judicial District Court, Hennepin County, Minnesota, before Hon. Laurie Miller (formerly Hon. Thomas Sipkins) (File Nos. 27-CV-15-3785 & 27-cv-15-12625).

4. The spreadsheet attached as Exhibit 1 to this Declaration was created from, and is a summary of, the itemized hourly fee information provided to the Court as Exhibit C to the Application.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 3rd day of August, 2018, in Fayetteville, AR.

/s/ Russell Winburn  
Russell Winburn

# EXHIBIT 1

LEGAL FEES TASK PERFORMED	TIMEKEEPER	Approved Common Benefit Work		Other Work		Notes
		Hours	Fees	Hours	Fees	
Complaint drafting	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Dispositive motion briefing/argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Class certification motion briefing and argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>DISCOVERY, DEPOSITIONS, DOC REVIEW</b>						
Plaintiff fact sheet preparation/review	Attorneys	68.50	\$23,975.00			
	Contract Attorneys					
	Non-attorneys	11.20	\$1,680.00			
Paper discovery (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Paper discovery against plaintiffs	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery motion practice and communications with adverse parties	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Fact depositions (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defend fact depositions (of plaintiffs)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery file management	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>EXPERT WORK, DAUBERT MOTIONS</b>						
Plaintiffs' expert witness work (including development of report, defense of depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defendant expert witness work (depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (plaintiff experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (defense experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>PRETRIAL PREP, TRIAL, AND POST TRIAL</b>						
Motions in limine	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Trial (presenting witnesses and argument)	Attorneys					
	Contract Attorneys					

	Non-attorneys					
Trial briefing and jury instructions	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Other pretrial motion practice	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Post-trial briefing	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>SETTLEMENT AND SETTLEMENT ADMINISTRATION</b>						
Pre-settlement communication with clients	Attorneys			3.00	\$1,050.00	
	Contract Attorneys					
	Non-attorneys					
Settlement negotiations	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Assisting clients in perfecting claims in settlement	Attorneys					
	Contract Attorneys					
	Non-attorneys			9.00	\$1,350.00	
Preparation of fee petition	Attorneys					
	Contract Attorneys					
	Non-attorneys			2.00	\$300.00	
<b>ADMINISTRATIVE</b>						
Administrative work as court-appointed leadership	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>OTHER (describe in Notes)</b>						
	Attorneys			339.90	\$118,730.00	Client communications, data entry in client database, travel to meet with clients, calls with lead counsel, PBLF
	Contract Attorneys					
	Non-attorneys			99.85	\$14,977.50	
		79.70	\$25,655.00	453.75	\$136,407.50	

EXPENSES PAID	Amount	Notes
Common Benefit Assessment Fees		
Postage	\$982.98	
Photocopying		
Hotels		
Meals		
Mileage	\$4,673.83	
Air Travel	\$17,203.70	
Court Fees		
Transcript Fees		
Ground Transportation		
Expert/Consulting Fees Not Included in Common Benefit		
Special Master Fees		
Miscellaneous (Describe)	\$3,704.88	Lexis research, phone conferences, marketing, trial exhibits, computer software, copies of phone records
<b>TOTAL</b>	\$26,565.39	

## EXHIBIT D

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

IN RE: SYNGENTA AG MIR162	)	MDL No. 2591
CORN LITIGATION	)	
	)	
This Document Relates to All Cases <u>Except</u> :	)	Case No. 14-MD-02591-JWL-JPO
	)	
<i>Louis Dreyfus Co. Grains</i>	)	
<i>Merchandising LLC v. Syngenta AG,</i>	)	
No. 16-2788	)	
	)	
<i>Trans Coastal Supply Co., Inc. v.</i>	)	
<i>Syngenta AG, No. 14-2637</i>	)	
	)	
<i>The Delong Co., Inc. v. Syngenta AG,</i>	)	
No. 17-2614	)	
	)	
<i>Agribase Int'l Inc. v. Syngenta AG,</i>	)	
No. 15-2279	)	
	)	
	)	

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**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

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**DISTRICT COURT  
FOURTH JUDICIAL DISTRICT**

IN RE: SYNGENTA LITIGATION

Case Type: Civil Other  
Hon. Laurie J. Miller

This Document Relates to:  
All Cases

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FILE NO. 27-CV-15-12625  
and FILE NO. 27-CV-15-3785

**DECLARATION OF GALE LUSH, JOINING AND IN FURTHER SUPPORT OF THE  
PAUL BYRD LAW FIRM, PPLC SUPPLEMENT TO THE FEE & EXPENSE  
APPLICATION**

I, Gale Lush, declare as follows:

1. I am of legal age, and I make this declaration based on our personal knowledge. If called as witnesses, I could and would testify competently to the facts contained herein, which are true and correct.



2. I am the sole owner at the law firm of Gale Lush, Attorney-at-Law (hereinafter “the Firm”). I am authorized to submit this declaration on the Firm’s behalf.

3. I submit this declaration in support of the Supplement to the Paul Byrd Law Firm, PLLC Fee & Expense Application (“the Application Supplement”), filed pursuant to Section 7.2.1 of the Agrisure Viptera/Duracade Class Settlement Agreement (the “Settlement Agreement”) in *In Re: Syngenta AG MIR 162 Corn Litigation*, a multi-district litigation consolidated in the United States District Court for the District of Kansas before Hon. John W. Lungstrum (MDL-2591), and *In Re: Syngenta Litigation*, a Minnesota Consolidated Proceeding consolidated in the Fourth Judicial District Court, Hennepin County, Minnesota, before Hon. Laurie Miller (formerly Hon. Thomas Sipkins) (File Nos. 27-CV-15-3785 & 27-cv-15-12625).

4. The spreadsheet attached as Exhibit 1 to this Declaration was created from, and is a summary of, the itemized hourly fee information provided to the Court as Exhibit D to the Application.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 3rd day of August, 2018, in Wilcox, NE.

/s/ Gale Lush  
Gale Lush

# EXHIBIT 1

LEGAL FEES TASK PERFORMED	TIMEKEEPER	Approved Common Benefit Work		Other Work		Notes
		Hours	Fees	Hours	Fees	
Complaint drafting	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Dispositive motion briefing/argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Class certification motion briefing and argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>DISCOVERY, DEPOSITIONS, DOC REVIEW</b>						
Plaintiff fact sheet preparation/review	Attorneys	152.40	\$53,400.00	39.10	\$13,685.00	
	Contract Attorneys					
	Non-attorneys					
Paper discovery (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Paper discovery against plaintiffs	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery motion practice and communications with adverse parties	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Fact depositions (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defend fact depositions (of plaintiffs)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery file management	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>EXPERT WORK, DAUBERT MOTIONS</b>						
Plaintiffs' expert witness work (including development of report, defense of depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defendant expert witness work (depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (plaintiff experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (defense experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>PRETRIAL PREP, TRIAL, AND POST TRIAL</b>						
Motions in limine	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Trial (presenting witnesses and argument)	Attorneys					
	Contract Attorneys					

	Non-attorneys					
Trial briefing and jury instructions	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Other pretrial motion practice	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Post-trial briefing	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>SETTLEMENT AND SETTLEMENT ADMINISTRATION</b>						
Pre-settlement communication with clients	Attorneys			34.90	\$12,215.00	
	Contract Attorneys					
	Non-attorneys					
Settlement negotiations	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Assisting clients in perfecting claims in settlement	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Preparation of fee petition	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>ADMINISTRATIVE</b>						
Administrative work as court-appointed leadership	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>OTHER (describe in Notes)</b>						
	Attorneys			1229.00	\$430,150.00	Meeting with clients, client communications, calls with lead counsel Paul Byrd Law Firm
	Contract Attorneys					
	Non-attorneys					

EXPENSES PAID	Amount	Notes
Common Benefit Assessment Fees		
Postage		
Photocopying		
Hotels		
Meals		
Mileage	\$482.00	
Air Travel		
Court Fees		
Transcript Fees		
Ground Transportation		
Expert/Consulting Fees Not Included in Common Benefit		
Special Master Fees		
Miscellaneous (Describe)	\$4,240.63	Renting rooms, office supplies
<b>TOTAL</b>	\$4,722.63	

## EXHIBIT E

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

IN RE: SYNGENTA AG MIR162	)	MDL No. 2591
CORN LITIGATION	)	
	)	
This Document Relates to All Cases <u>Except</u> :	)	Case No. 14-MD-02591-JWL-JPO
	)	
<i>Louis Dreyfus Co. Grains</i>	)	
<i>Merchandising LLC v. Syngenta AG,</i>	)	
No. 16-2788	)	
	)	
<i>Trans Coastal Supply Co., Inc. v.</i>	)	
<i>Syngenta AG, No. 14-2637</i>	)	
	)	
<i>The Delong Co., Inc. v. Syngenta AG,</i>	)	
No. 17-2614	)	
	)	
<i>Agribase Int'l Inc. v. Syngenta AG,</i>	)	
No. 15-2279	)	
	)	
	)	

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**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

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**DISTRICT COURT  
FOURTH JUDICIAL DISTRICT**

IN RE: SYNGENTA LITIGATION

Case Type: Civil Other  
Hon. Laurie J. Miller

This Document Relates to:  
All Cases

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FILE NO. 27-CV-15-12625  
and FILE NO. 27-CV-15-3785

**DECLARATION OF DUSTIN DEVAUGHN, RICHARD JAMES AND  
CODY CLAASSEN OF DEVAUGHN JAMES INJURY LAWYERS, JOINING AND IN  
FURTHER SUPPORT OF THE PAUL BYRD LAW FIRM, PLLC SUPPLEMENT TO  
THE FEE & EXPENSE APPLICATION**

We, Dustin DeVaughn, Richard James and Cody Claassen, declare as follows:

1. We, all of legal age, make this declaration based on our personal knowledge. If called as witnesses, we could and would testify competently to the facts contained herein, which are true and correct.

2. We are the partners of DeVaughn James Injury Lawyers, LLC (hereinafter “the Firm”). I am authorized to submit this declaration on the Firm’s behalf.

3. We submit this declaration in support of the Supplement to the Paul Byrd Law Firm, PLLC Fee & Expense Application (“the Application Supplement”), filed pursuant to Section 7.2.1 of the Agrisure Viptera/Duracade Class Settlement Agreement (the “Settlement Agreement”) in *In Re: Syngenta AG MIR 162 Corn Litigation*, a multi-district litigation consolidated in the United States District Court for the District of Kansas before Hon. John W. Lungstrum (MDL-2591), and *In Re: Syngenta Litigation*, a Minnesota Consolidated Proceeding consolidated in the Fourth Judicial District Court, Hennepin County, Minnesota, before Hon. Laurie Miller (formerly Hon. Thomas Sipkins) (File Nos. 27-CV-15-3785 & 27-cv-15-12625).

4. The spreadsheet attached as Exhibit 1 to this Declaration was created from, and is a summary of, the itemized hourly fee information provided to the Court as Exhibit E to the Application.

We declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 3rd day of August, 2018, in Wichita, KS.

/s/ Dustin L. DeVaughn  
Dustin L. DeVaughn

/s/ Cody G. Claassen  
Cody G. Claassen

/s/ Richard W. James  
Richard W. James



# EXHIBIT 1

LEGAL FEES TASK PERFORMED	TIMEKEEPER	Approved Common Benefit Work		Other Work		Notes
		Hours	Fees	Hours	Fees	
Complaint drafting	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Dispositive motion briefing/argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Class certification motion briefing and argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>DISCOVERY, DEPOSITIONS, DOC REVIEW</b>						
Plaintiff fact sheet preparation/review	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Paper discovery (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Paper discovery against plaintiffs	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery motion practice and communications with adverse parties	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Fact depositions (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defend fact depositions (of plaintiffs)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery file management	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>EXPERT WORK, DAUBERT MOTIONS</b>						
Plaintiffs' expert witness work (including development of report, defense of depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defendant expert witness work (depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (plaintiff experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (defense experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>PRETRIAL PREP, TRIAL, AND POST TRIAL</b>						
Motions in limine	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Trial (presenting witnesses and argument)	Attorneys					
	Contract Attorneys					

	Non-attorneys					
Trial briefing and jury instructions	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Other pretrial motion practice	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Post-trial briefing	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>SETTLEMENT AND SETTLEMENT ADMINISTRATION</b>						
Pre-settlement communication with clients	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Settlement negotiations	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Assisting clients in perfecting claims in settlement	Attorneys			120.00	\$78,000.00	
	Contract Attorneys					
	Non-attorneys			990.00	\$128,000.00	
Preparation of fee petition	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>ADMINISTRATIVE</b>						
Administrative work as court-appointed leadership	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>OTHER (describe in Notes)</b>						
	Attorneys			1480.00	\$962,000.00	Client communications, mass mail outs, processing client information, updates on litigation
	Contract Attorneys					
	Non-attorneys			270.00	\$27,000.00	
				2860.00	\$1,195,000.00	

EXPENSES PAID	Amount	Notes
Common Benefit Assessment Fees		
Postage	\$2,400.00	
Photocopying		
Hotels		
Meals	\$1,500.00	
Mileage	\$100.00	
Air Travel		
Court Fees		
Transcript Fees		
Ground Transportation		
Expert/Consulting Fees Not Included in Common Benefit		
Special Master Fees		
Miscellaneous (Describe)		
<b>TOTAL</b>	<b>\$4,000.00</b>	

## EXHIBIT F



2. I am the Senior Partner and owner of the law firm CLARK MASON ATTORNEYS, (hereinafter “the Firm”). I am authorized to submit this declaration on the Firm’s behalf.

3. I submit this declaration in support of the Supplement to the Paul Byrd Law Firm, PLLC Fee & Expense Application (“the Application Supplement”), filed pursuant to Section 7.2.1 of the Agrisure Viptera/Duracade Class Settlement Agreement (the “Settlement Agreement”) in *In Re: Syngenta AG MIR 162 Corn Litigation*, a multi-district litigation consolidated in the United States District Court for the District of Kansas before Hon. John W. Lungstrum (MDL-2591), and *In Re: Syngenta Litigation*, a Minnesota Consolidated Proceeding consolidated in the Fourth Judicial District Court, Hennepin County, Minnesota, before Hon. Laurie Miller (formerly Hon. Thomas Sipkins) (File Nos. 27-CV-15-3785 & 27-cv-15-12625).

4. The spreadsheet attached as Exhibit 1 to this Declaration was created from, and is a summary of, the itemized hourly fee information provided to the Court as Exhibit F to the Application.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 3rd day of August, 2018, in Little Rock, AR.

/s/ Clark Mason  
Clark Mason

## EXHIBIT 1



LEGAL FEES TASK PERFORMED	TIMEKEEPER	Approved Common Benefit Work		Other Work		Notes
		Hours	Fees	Hours	Fees	
Complaint drafting	Attorneys			30.00	\$19,500.00	
	Contract Attorneys					
	Non-attorneys					
Dipositive motion briefing/argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Class certification motion briefing and argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>DISCOVERY, DEPOSITIONS, DOC REVIEW</b>						
Plaintiff fact sheet preparation/review	Attorneys	58.60	\$38,090.00			
	Contract Attorneys					
	Non-attorneys					
Paper discovery (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Paper discovery against plaintiffs	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery motion practice and communications with adverse parties	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Fact depositions (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defend fact depositions (of plaintiffs)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery file management	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>EXPERT WORK, DAUBERT MOTIONS</b>						
Plaintiffs' expert witness work (including development of report, defense of depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defendant expert witness work (depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (plaintiff experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (defense experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>PRETRIAL PREP, TRIAL, AND POST TRIAL</b>						
Motions in limine	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Trial (presenting witnesses and argument)	Attorneys					
	Contract Attorneys					
	Non-attorneys					

Trial briefing and jury instructions	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Other pretrial motion practice	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Post-trial briefing	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>SETTLEMENT AND SETTLEMENT ADMINISTRATION</b>						
Pre-settlement communication with clients	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Settlement negotiations	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Assisting clients in perfecting claims in settlement	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Preparation of fee petition	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>ADMINISTRATIVE</b>						
Administrative work as court-appointed leadership	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>OTHER (describe in Notes)</b>						
	Attorneys			241.40	\$156,910.00	Items were initially listed in spreadsheets 7/10/2018
						Although the items set forth were initially provided with the filing of July 10, 2018, much of the time set forth therein and forming the basis of the 241 hours are related to items ranging from development of evidence initially regarding the potential claims and remaining in contact with not only our clients, but likewise our many referring attorneys. In addition, it would not be unusual to have up to 10 to 20 conference calls each month addressing the various issues that consistently arouse in connection with the many facets of this litigation. It is impossible to fairly recap after four years of extensive litigation how the time was spent given this case was taken on a contingency basis. That said, there is absolutely no question the time reflected here is by no means close to the actual time expended in connection with representing the 2,500+ clients beginning in late 2013 up to and including August 3, 2018.
	Contract Attorneys					
	Non-attorneys					

EXPENSES PAID	AMOUNT	NOTES
Common Benefit Assessment Fees	\$ 5,000.00	Paid to Paul Byrd Law Firm re Initial Assessment for Steering Committee 1/5 of \$25,000
Postage	\$ 3,843.00	Creating, Printing and Multiple Client Mailouts including Materials Created for updates and related issues in case
Photocopying	\$ 851.00	Printing and Creating Additional Brochures and Info regarding case for clients
Hotels	\$ 4,251.00	Hotels in Charleston, S.C; Kansas City; Omaha, NE; Kearney, NE; Oxford, MS and varying other "Business Traveler Hotels" throughout the Corn Belt
Meals	\$ 859.00	
Mileage	\$ 1,846.00	Driving throughout Arkansas meeting with counsel and clients over 4 years
Air Travel	\$ 4,254.37	Travel to Charleston, S.C. for JPML Hearing 12/4&5/2014; Kansas City Hearing 1/20-22/2018; Kansas City Hearing 2/2-4/2015, Various Omaha and Kearney, NE trips;
Court Fees	\$ 910.00	Stracener v. Syngenta, et al., USDC, WD of AR; Filed 9-18-2014      Hunt Farms v. Syngenta, et al., USDC, WD of TN; Filed 11-26-2014
Transcript Fees		
Ground Transportation	\$ 1,476.00	Multiple Rentals and related transportation to and from airports
Expert/Consulting Fees Not Included in Common Benefit		
Special Master Fees		
Miscellaneous (Describe) See Tab Below for Description	\$ 85,528.33	Please See Tab Below for Full Explanation
<b>TOTAL</b>	<b>\$ 108,818.70</b>	

A

The expenses set forth on the final line identified as *MISCELLANEOUS* on the Expenses Tab reflect monthly reimbursements, most on a regular, ongoing basis provided in a separate page for the Court's edification and identify to consistent degrees payments of 1/5 of the charges invoiced every month, or typically monthly, by Clark Mason, together with the five other attorneys referred to from time to time as the "Paul Byrd Corn Team" or ("The Team"). These expenses commenced with the retention of one of the most experienced individuals available with the vast experience and know how associated with the development and continuing efforts required to successfully pursue agricultural claims such as this would be. His name is Brad Bailey. Mr. Bailey has initially organized, developed and provided factual, "hands on" oversight in at least five mass party claims ranging from swine farmers to wheat farmers, rice farmers to poultry processors, and several more in between. The scope of his engagements have developed into a clear understanding of the work necessary and required by himself and numerous others, dependent on the magnitude of the claim and the number of clients. Cases in which he has initially been involved with have resulted in recoveries well in excess of \$2.5 Billion for the benefit of America's farmers. In addition to Mr. Bailey's contributions, has the talent of recognizing the necessary and required documents maintained by the farmers, their lenders, governmental entities and others and as the claims progress he is able to share and delegate to others as necessary the items identified as documents necessary to develop claims for each individual client, which is again exactly what was done in connection with this case. He anticipated and would not only oversee what would be required for each client to prove his damages, but actually created all necessary and essential databases together with developing the coding required to tailor his work to the specific case. Further, he assisted in identifying all anticipated documents ultimately required for completion of the Plaintiffs Fact Sheets well in advance of the Court's directives for the Plaintiffs to provide this information. Mr. Bailey is probably best known for his work in connection with the *Shaefer v. Bayer Crop Sciences* litigation involving GMO rice issues whereby each member of the Paul Byrd Corn Team participated in various degrees. After a landmark jury verdict in Arkansas state court for only five separate farmers in excess of \$47 Million dollars, affirmed by the Arkansas Supreme Court and tried in his capacity as co-lead counsel by Jim Thompson from the Byrd Corn Team. The case shortly thereafter settled in the sum of \$750 Million dollars. Mr. Bailey worked with those now making up Byrd Corn Team in connection with many of the data entry requirements of each of the more than 2,500 individual clients who hold contingency fee contracts with Clark Mason, Paul Byrd, Jim Thompson, Jerry Kelly and Nolan Awbrey. All payments were devoted exclusively to and ultimately in connection with the mandatory requirements necessary for development of the Plaintiffs' Fact Sheets as initially anticipated and ultimately Ordered by the respective Courts in Minnesota, Kansas and Illinois. Creation of the Plaintiffs Fact Sheets included, for the Court's edification, daily contact with clients, their lenders, local governmental Offices and numerous others who were in possession of the extensive and ultimately required information necessary to gather and ultimately share all relevant information required to develop and otherwise document our individual clients' claims. Relevant documents were collected, organized, cataloged and ultimately used to develop the Court's mandate that each Plaintiff Provide Fact Sheets to Defense counsel, ultimately on a "rolling basis", which was remarkably accomplished for over 2,500 individual farmers or their operating entities who make up our individual clients. Without these Plaintiff Fact Sheets, the Defendants, nor the Court for that matter, could reasonably determine the ultimate losses sustained by the Plaintiffs in this action. The skill, experience and ongoing oversight of each attorney within the Paul Byrd Corn Team resulted in not only timely and accurate preparation of the Plaintiffs Fact Sheets, but likewise as a result of our experience in preparing similar documents in prior litigation, neither our clients nor our Team ever received one claimed deficiency by counsel for Syngenta, an accomplishment that seldom occurs in highly contentious and exceedingly large litigation such as this. Consequently, upon evaluation of the information provided within our PFS there is little question Syngenta was able to evaluate their extraordinary exposure in this case and knowing each of our clients were ready and prepared to establish their damages in any trial, all continuing to place pressure on the Defendants to settle this litigation as they have done at this point.

## ITEMIZATION OF MISCELLANEOUS CHARGES

Invoice Date	Paid to:	Amount
12/15/2014	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
1/5/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,500.00
1/5/2015	Paul Byrd (reimbursed costs)	\$ 800.00
1/28/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
2/17/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
2/27/2015	Nolan Awbrey (For Brad Bailey)	\$ 575.10
5/18/2015	Nolan Awbrey (For Brad Bailey)	\$ 812.77
3/19/2017	Nolan Awbrey (For Brad Bailey)	\$ 1,860.00
5/30/2015	Paul Byrd (reimbursement costs)	\$ 140.00
5/12/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,206.14
7/13/2015	Nolan Awbrey (For Brad Bailey)	\$ 645.00
6/12/2015	Nolan Awbrey (For Brad Bailey)	\$ 685.00
6/24/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,330.00
7/24/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,137.55
8/26/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,089.74
9/28/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,155.02
10/31/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
11/31/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
12/10/2015	Paul Byrd (reimbursement costs)	\$ 9,223.20
12/31/2015	Paul Byrd (reimbursement costs)	\$ 1,163.20
1/29/2016	Paul Byrd (reimbursement costs)	\$ 273.80
2/28/2016	Paul Byrd (reimbursement)	\$ 1,315.75
3/15/2016	Paul Byrd (reimbursement costs)	\$ 1,294.74
4/19/2016	Paul Byrd (reimbursement)	\$ 2,074.00
5/16/2016	Paul Byrd (reimbursement)	\$ 1,965.15
6/23/2016	Paul Byrd (reimbursement costs May)	\$ 3,157.49
7/20/2016	Paul Byrd (reimbursement costs June)	\$ 710.08
8/31/2016	Paul Byrd Reimbursement	\$ 841.14
9/30/2016	Paul Byrd Reimbursement	\$ 1,116.44
10/31/2016	Paul Byrd Reimbursement	\$ 2,111.38
11/30/2016	Paul Byrd Reimbursement	\$ 2,487.19
12/31/2016	Paul Byrd Reimbursement	\$ 3,722.13
1/13/2017	Paul Byrd (reimbursement costs)	\$ 3,282.77
2/6/2017	Paul Byrd Reimbursement	\$ 12,405.37
2/28/2017	Paul Byrd Reimbursement	\$ 1,906.98
3/22/2017	Paul Byrd Reimbursement costs January and February	\$ 2,857.80
5/3/2017	Paul Byrd (reimbursement costs March)	\$ 1,736.34
5/3/2017	Paul Byrd Reimbursement April	\$ 3,221.73
5/24/2017	Paul Byrd Reimbursement April	\$ 1,417.93
7/3/2017	Paul Byrd (reimbursement costs May)	\$ 1,498.12
7/31/2017	Paul Byrd Reimbursement for June	\$ 2,580.35

9/25/2017	Paul Byrd Reimbursement	\$ 1,503.19
10/25/2017	Paul Byrd Reimbursement September	\$ 1,500.55
12/4/2017	Paul Byrd Reimbursement October	\$ 1,395.03
2/9/2018	Paul Byrd Reimbursement for December	\$ 1,750.67
3/14/2018	Paul Byrd Reimbursement Jan & Feb 2018	\$ 2,174.88
3/7/2018	Paul Byrd Reimbursement	\$ 204.61
	TOTAL FOR DATA INPUT & OUTSOURCING	\$ 85,528.33

## EXHIBIT G

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

IN RE: SYNGENTA AG MIR162	)	MDL No. 2591
CORN LITIGATION	)	
	)	
This Document Relates to All Cases <u>Except</u> :	)	Case No. 14-MD-02591-JWL-JPO
	)	
<i>Louis Dreyfus Co. Grains</i>	)	
<i>Merchandising LLC v. Syngenta AG,</i>	)	
No. 16-2788	)	
	)	
<i>Trans Coastal Supply Co., Inc. v.</i>	)	
<i>Syngenta AG, No. 14-2637</i>	)	
	)	
<i>The Delong Co., Inc. v. Syngenta AG,</i>	)	
No. 17-2614	)	
	)	
<i>Agribase Int'l Inc. v. Syngenta AG,</i>	)	
No. 15-2279	)	
	)	
	)	

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**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

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**DISTRICT COURT  
FOURTH JUDICIAL DISTRICT**

IN RE: SYNGENTA LITIGATION

Case Type: Civil Other  
Hon. Laurie J. Miller

This Document Relates to:  
All Cases

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FILE NO. 27-CV-15-12625  
and FILE NO. 27-CV-15-3785

**DECLARATION OF NOLAN E. AWBREY FOR AWBREY LAW FIRM, JOINING AND  
IN FURTHER SUPPORT OF THE PAUL BYRD LAW FIRM, PPLC SUUPLEMENT TO  
THE FEE & EXPENSE APPLICATION**

I, Nolan Awbrey, declare as follows:

1. I am of legal age, and I make this declaration based on our personal knowledge. If called as witnesses, I could and would testify competently to the facts contained herein, which are true and correct.



2. I am a member of Awbrey Law Firm (hereinafter “the Firm”). I am authorized to submit this declaration on the Firm’s behalf.

3. I submit this declaration in support of the Supplement to the Paul Byrd Law Firm, PLLC Fee & Expense Application (“the Application Supplement”), filed pursuant to Section 7.2.1 of the Agrisure Viptera/Duracade Class Settlement Agreement (the “Settlement Agreement”) in *In Re: Syngenta AG MIR 162 Corn Litigation*, a multi-district litigation consolidated in the United States District Court for the District of Kansas before Hon. John W. Lungstrum (MDL-2591), and *In Re: Syngenta Litigation*, a Minnesota Consolidated Proceeding consolidated in the Fourth Judicial District Court, Hennepin County, Minnesota, before Hon. Laurie Miller (formerly Hon. Thomas Sipkins) (File Nos. 27-CV-15-3785 & 27-cv-15-12625).

4. The spreadsheet attached as Exhibit 1 to this Declaration was created from, and is a summary of, the itemized hourly fee information provided to the Court as Exhibit G to the Application.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 3rd day of August, 2018, in Birmingham, AL.

/s/ Nolan Awbrey  
Nolan Awbrey

# EXHIBIT 1

LEGAL FEES TASK PERFORMED	TIMEKEEPER	Approved Common Benefit Work		Other Work		Notes
		Hours	Fees	Hours	Fees	
Complaint drafting	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Dispositive motion briefing/argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Class certification motion briefing and argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>DISCOVERY, DEPOSITIONS, DOC REVIEW</b>						
Plaintiff fact sheet preparation/review	Attorneys	43.50	\$28,275.00			
	Contract Attorneys					
	Non-attorneys					
Paper discovery (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Paper discovery against plaintiffs	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery motion practice and communications with adverse parties	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Fact depositions (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defend fact depositions (of plaintiffs)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery file management	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>EXPERT WORK, DAUBERT MOTIONS</b>						
Plaintiffs' expert witness work (including development of report, defense of depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defendant expert witness work (depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (plaintiff experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (defense experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>PRETRIAL PREP, TRIAL, AND POST TRIAL</b>						
Motions in limine	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Trial (presenting witnesses and argument)	Attorneys					
	Contract Attorneys					

	Non-attorneys					
Trial briefing and jury instructions	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Other pretrial motion practice	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Post-trial briefing	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>SETTLEMENT AND SETTLEMENT ADMINISTRATION</b>						
Pre-settlement communication with clients	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Settlement negotiations	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Assisting clients in perfecting claims in settlement	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Preparation of fee petition	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>ADMINISTRATIVE</b>						
Administrative work as court-appointed leadership	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>OTHER (describe in Notes)</b>						
	Attorneys			313.40	\$203,710.00	Items initially listed in spreadsheets filed 7/10/2018
	Contract Attorneys					
	Non-attorneys					

EXPENSES PAID	AMOUNT	NOTES
Common Benefit Assessment Fees	\$5,000.00	Paid to Paul Byrd Law Firm re Initial Assessment for Steering Committee 1/5 of \$25,000
Postage		
Photocopying		
Hotels	\$4,805.00	
Meals	\$350.00	
Mileage	\$1,387.00	
Air Travel	\$4,805.00	
Court Fees	\$910.00	
Transcript Fees		
Ground Transportation	\$200.00	
Expert/Consulting Fees Not Included in Common Benefit		
Special Master Fees		
Miscellaneous (Describe) See Tab Below for Description	\$85,528.33	Please See Tab Below for Full Explanation
<b>TOTAL</b>	<b>\$102,985.33</b>	

A

The expenses set forth on the final line identified as *MISCELLANEOUS* on the Expenses Tab reflect monthly reimbursements, most on a regular, ongoing basis provided in a separate page for the Court's edification and identify to consistent degrees payments of 1/5 of the charges invoiced every month, or typically monthly, by Clark Mason, together with the five other attorneys referred to from time to time as the "Paul Byrd Corn Team" or ("The Team"). These expenses commenced with the retention of one of the most experienced individuals available with the vast experience and know how associated with the development and continuing efforts required to successfully pursue agricultural claims such as this would be. His name is Brad Bailey. Mr. Bailey has initially organized, developed and provided factual, "hands on" oversight in at least five mass party claims ranging from swine farmers to wheat farmers, rice farmers to poultry processors, and several more in between. The scope of his engagements have developed into a clear understanding of the work necessary and required by himself and numerous others, dependent on the magnitude of the claim and the number of clients. Cases in which he has initially been involved with have resulted in recoveries well in excess of \$2.5 Billion for the benefit of America's farmers. In addition to Mr. Bailey's contributions, has the talent of recognizing the necessary and required documents maintained by the farmers, their lenders, governmental entities and others and as the claims progress he is able to share and delegate to others as necessary the items identified as documents necessary to develop claims for each individual client, which is again exactly what was done in connection with this case. He anticipated and would not only oversee what would be required for each client to prove his damages, but actually created all necessary and essential databases together with developing the coding required to tailor his work to the specific case. Further, he assisted in identifying all anticipated documents ultimately required for completion of the Plaintiffs Fact Sheets well in advance of the Court's directives for the Plaintiffs to provide this information. Mr. Bailey is probably best known for his work in connection with the *Shaefer v. Bayer Crop Sciences* litigation involving GMO rice issues whereby each member of the Paul Byrd Corn Team participated in various degrees. After a landmark jury verdict in Arkansas state court for only five separate farmers in excess of \$47 Million dollars, affirmed by the Arkansas Supreme Court and tried in his capacity as co-lead counsel by Jim Thompson from the Byrd Corn Team. The case shortly thereafter settled in the sum of \$750 Million dollars. Mr. Bailey worked with those now making up Byrd Corn Team in connection with many of the data entry requirements of each of the more than 2,500 individual clients who hold contingency fee contracts with Clark Mason, Paul Byrd, Jim Thompson, Jerry Kelly and Nolan Awbrey. All payments were devoted exclusively to and ultimately in connection with the mandatory requirements necessary for development of the Plaintiffs' Fact Sheets as initially anticipated and ultimately Ordered by the respective Courts in Minnesota, Kansas and Illinois. Creation of the Plaintiffs Fact Sheets included, for the Court's edification, daily contact with clients, their lenders, local governmental Offices and numerous others who were in possession of the extensive and ultimately required information necessary to gather and ultimately share all relevant information required to develop and otherwise document our individual clients' claims. Relevant documents were collected, organized, cataloged and ultimately used to develop the Court's mandate that each Plaintiff Provide Fact Sheets to Defense counsel, ultimately on a "rolling basis", which was remarkably accomplished for over 2,500 individual farmers or their operating entities who make up our individual clients. Without these Plaintiff Fact Sheets, the Defendants, nor the Court for that matter, could reasonably determine the ultimate losses sustained by the Plaintiffs in this action. The skill, experience and ongoing oversight of each attorney within the Paul Byrd Corn Team resulted in not only timely and accurate preparation of the Plaintiffs Fact Sheets, but likewise as a result of our experience in preparing similar documents in prior litigation, neither our clients nor our Team ever received one claimed deficiency by counsel for Syngenta, an accomplishment that seldom occurs in highly contentious and exceedingly large litigation such as this. Consequently, upon evaluation of the information provided within our PFS there is little question Syngenta was able to evaluate their extraordinary exposure in this case and knowing each of our clients were ready and prepared to establish their damages in any trial, all continuing to place pressure on the Defendants to settle this litigation as they have done at this point.

## ITEMIZATION OF MISCELLANEOUS CHARGES

Invoice Date	Paid to:	Amount
12/15/2014	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
1/5/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,500.00
1/5/2015	Paul Byrd (reimbursed costs)	\$ 800.00
1/28/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
2/17/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
2/27/2015	Nolan Awbrey (For Brad Bailey)	\$ 575.10
5/18/2015	Nolan Awbrey (For Brad Bailey)	\$ 812.77
3/19/2017	Nolan Awbrey (For Brad Bailey)	\$ 1,860.00
5/30/2015	Paul Byrd (reimbursement costs)	\$ 140.00
5/12/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,206.14
7/13/2015	Nolan Awbrey (For Brad Bailey)	\$ 645.00
6/12/2015	Nolan Awbrey (For Brad Bailey)	\$ 685.00
6/24/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,330.00
7/24/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,137.55
8/26/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,089.74
9/28/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,155.02
10/31/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
11/31/2015	Nolan Awbrey (For Brad Bailey)	\$ 1,000.00
12/10/2015	Paul Byrd (reimbursement costs)	\$ 9,223.20
12/31/2015	Paul Byrd (reimbursement costs)	\$ 1,163.20
1/29/2016	Paul Byrd (reimbursement costs)	\$ 273.80
2/28/2016	Paul Byrd (reimbursement)	\$ 1,315.75
3/15/2016	Paul Byrd (reimbursement costs)	\$ 1,294.74
4/19/2016	Paul Byrd (reimbursement)	\$ 2,074.00
5/16/2016	Paul Byrd (reimbursement)	\$ 1,965.15
6/23/2016	Paul Byrd (reimbursement costs May)	\$ 3,157.49
7/20/2016	Paul Byrd (reimbursement costs June)	\$ 710.08
8/31/2016	Paul Byrd Reimbursement	\$ 841.14
9/30/2016	Paul Byrd Reimbursement	\$ 1,116.44
10/31/2016	Paul Byrd Reimbursement	\$ 2,111.38
11/30/2016	Paul Byrd Reimbursement	\$ 2,487.19
12/31/2016	Paul Byrd Reimbursement	\$ 3,722.13
1/13/2017	Paul Byrd (reimbursement costs)	\$ 3,282.77
2/6/2017	Paul Byrd Reimbursement	\$ 12,405.37
2/28/2017	Paul Byrd Reimbursement	\$ 1,906.98
3/22/2017	Paul Byrd Reimbursement costs January and February	\$ 2,857.80
5/3/2017	Paul Byrd (reimbursement costs March)	\$ 1,736.34
5/3/2017	Paul Byrd Reimbursement April	\$ 3,221.73
5/24/2017	Paul Byrd Reimbursement April	\$ 1,417.93
7/3/2017	Paul Byrd (reimbursement costs May)	\$ 1,498.12
7/31/2017	Paul Byrd Reimbursement for June	\$ 2,580.35

<b>9/25/2017</b>	<b>Paul Byrd Reimbursement</b>	<b>\$ 1,503.19</b>
<b>10/25/2017</b>	<b>Paul Byrd Reimbursement September</b>	<b>\$ 1,500.55</b>
<b>12/4/2017</b>	<b>Paul Byrd Reimbursement October</b>	<b>\$ 1,395.03</b>
<b>2/9/2018</b>	<b>Paul Byrd Reimbursement for December</b>	<b>\$ 1,750.67</b>
<b>3/14/2018</b>	<b>Paul Byrd Reimbursement Jan &amp; Feb 2018</b>	<b>\$ 2,174.88</b>
<b>3/7/2018</b>	<b>Paul Byrd Reimbursement</b>	<b>\$ 204.61</b>
	<b>TOTAL FOR DATA INPUT &amp; OUTSOURCING</b>	<b>\$ 85,528.33</b>



## EXHIBIT H



2. I am a member of the law firm of James J. Thompson, Jr. (hereinafter “the Firm”).  
I am authorized to submit this declaration on the Firm’s behalf.

3. I submit this declaration in support of the Supplement to the Paul Byrd Law Firm, PLLC Fee & Expense Application (“the Application Supplement”), filed pursuant to Section 7.2.1 of the Agrisure Viptera/Duracade Class Settlement Agreement (the “Settlement Agreement”) in *In Re: Syngenta AG MIR 162 Corn Litigation*, a multi-district litigation consolidated in the United States District Court for the District of Kansas before Hon. John W. Lungstrum (MDL-2591), and *In Re: Syngenta Litigation*, a Minnesota Consolidated Proceeding consolidated in the Fourth Judicial District Court, Hennepin County, Minnesota, before Hon. Laurie Miller (formerly Hon. Thomas Sipkins) (File Nos. 27-CV-15-3785 & 27-cv-15-12625).

4. The spreadsheet attached as Exhibit 1 to this Declaration was created from, and is a summary of, the itemized hourly fee information provided to the Court as Exhibit H to the Application.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 3rd day of August, 2018, in Birmingham, AL.

/s/ James J. Thompson, Jr.  
James J. Thompson, Jr.

## EXHIBIT 1

LEGAL FEES		Approved Common Benefit Work		Other Work		Notes
TASK PERFORMED	TIMEKEEPER	Hours	Fees	Hours	Fees	
Complaint drafting	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Dispositive motion briefing/argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Class certification motion briefing and argument	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>DISCOVERY, DEPOSITIONS, DOC REVIEW</b>						
Plaintiff fact sheet preparation/review	Attorneys	43.50	\$32,625.00			
	Contract Attorneys					
	Non-attorneys					
Paper discovery (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Paper discovery against plaintiffs	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Discovery motion practice and communications with adverse parties	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Fact depositions (Syngenta and third parties)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defend fact depositions (of plaintiffs)	Attorneys	40.00	\$30,000.00			Depositions of clients in Kearney, NE
	Contract Attorneys					
	Non-attorneys					
Discovery file management	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>EXPERT WORK, DAUBERT MOTIONS</b>						
Plaintiffs' expert witness work (including development of report, defense of depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Defendant expert witness work (depositions)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (plaintiff experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Daubert motion practice (defense experts)	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>PRETRIAL PREP, TRIAL, AND POST TRIAL</b>						
Motions in limine	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Trial (presenting witnesses and argument)	Attorneys					
	Contract Attorneys					

	Non-attorneys					
Trial briefing and jury instructions	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Other pretrial motion practice	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Post-trial briefing	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>SETTLEMENT AND SETTLEMENT ADMINISTRATION</b>						
Pre-settlement communication with clients	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Settlement negotiations	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Assisting clients in perfecting claims in settlement	Attorneys					
	Contract Attorneys					
	Non-attorneys					
Preparation of fee petition	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>ADMINISTRATIVE</b>						
Administrative work as court-appointed leadership	Attorneys					
	Contract Attorneys					
	Non-attorneys					
<b>OTHER (describe in Notes)</b>						
	Attorneys			313.40	\$235,050.00	Items initially listed in spreadsheets filed 7/10/2018
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	Non-attorneys					

EXPENSES PAID	AMOUNT	NOTES
Common Benefit Assessment Fees	\$5,000.00	Paid to Paul Byrd Law Firm re Initial Assessment for Steering Committee 1/5 of \$25,000
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Photocopying		
Hotels	\$900.00	
Meals	\$300.00	
Mileage		
Air Travel	\$1,500.00	
Court Fees		
Transcript Fees		
Ground Transportation	\$600.00	
Expert/Consulting Fees Not Included in Common Benefit		
Special Master Fees		
Miscellaneous (Describe) See Tab Below for Description	\$85,528.33	Please See Tab Below for Full Explanation
<b>TOTAL</b>	<b>\$93,828.33</b>	

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The expenses set forth on the final line identified as *MISCELLANEOUS* on the Expenses Tab reflect monthly reimbursements, most on a regular, ongoing basis provided in a separate page for the Court's edification and identify to consistent degrees payments of 1/5 of the charges invoiced every month, or typically monthly, by Clark Mason, together with the five other attorneys referred to from time to time as the "Paul Byrd Corn Team" or ("The Team"). These expenses commenced with the retention of one of the most experienced individuals available with the vast experience and know how associated with the development and continuing efforts required to successfully pursue a agricultural claims such as this would be. His name is Brad Bailey. Mr. Bailey has initially organized, developed and provided factual, "hands on" oversight in at least five mass party claims ranging from swine farmers to wheat farmers, rice farmers to poultry processors, and several more in between. 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Relevant documents were collected, organized, cataloged and ultimately used to develop the Court's mandate that each Plaintiff Provide Fact Sheets to Defense counsel, ultimately on a "rolling basis", which was remarkably accomplished for over 2,500 individual farmers or their operating entities who make up our individual clients. Without these Plaintiff Fact Sheets, the Defendants, nor the Court for that matter, could reasonably determine the ultimate losses sustained by the Plaintiffs in this action. The skill, experience and ongoing oversight of each attorney within the Paul Byrd Corn Team resulted in not only timely and accurate preparation of the Plaintiffs Fact Sheets, but likewise as a result of our experience in preparing similar documents in prior litigation, neither our clients nor our Team ever received one claimed deficiency by counsel for Syngenta, an accomplishment that seldom occurs in highly contentious and exceedingly large litigation such as this. Consequently, upon evaluation of the information provided within our PFS there is little question Syngenta was able to evaluate their extraordinary exposure in this case and knowing each of our clients were ready and prepared to establish their damages in any trial, all continuing to place pressure on the Defendants to settle this litigation as they have done at this point.



## ITEMIZATION OF MISCELLANEOUS CHARGES

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7/20/2016	Paul Byrd (reimbursement costs June)	\$ 710.08
8/31/2016	Paul Byrd Reimbursement	\$ 841.14
9/30/2016	Paul Byrd Reimbursement	\$ 1,116.44
10/31/2016	Paul Byrd Reimbursement	\$ 2,111.38
11/30/2016	Paul Byrd Reimbursement	\$ 2,487.19
12/31/2016	Paul Byrd Reimbursement	\$ 3,722.13
1/13/2017	Paul Byrd (reimbursement costs)	\$ 3,282.77
2/6/2017	Paul Byrd Reimbursement	\$ 12,405.37
2/28/2017	Paul Byrd Reimbursement	\$ 1,906.98
3/22/2017	Paul Byrd Reimbursement costs January and February	\$ 2,857.80
5/3/2017	Paul Byrd (reimbursement costs March)	\$ 1,736.34
5/3/2017	Paul Byrd Reimbursement April	\$ 3,221.73
5/24/2017	Paul Byrd Reimbursement April	\$ 1,417.93
7/3/2017	Paul Byrd (reimbursement costs May)	\$ 1,498.12
7/31/2017	Paul Byrd Reimbursement for June	\$ 2,580.35

9/25/2017	Paul Byrd Reimbursement	\$ 1,503.19
10/25/2017	Paul Byrd Reimbursement September	\$ 1,500.55
12/4/2017	Paul Byrd Reimbursement October	\$ 1,395.03
2/9/2018	Paul Byrd Reimbursement for December	\$ 1,750.67
3/14/2018	Paul Byrd Reimbursement Jan & Feb 2018	\$ 2,174.88
3/7/2018	Paul Byrd Reimbursement	\$ 204.61
	TOTAL FOR DATA INPUT & OUTSOURCING	\$ 85,528.33