

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

**IN RE SYNGENTA AG MIR162 CORN
LITIGATION**

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

**THIS DOCUMENT RELATES TO
ALL CASES EXCEPT:**

MDL No. 2591

***Louis Dreyfus Company Grains
Merchandising LLC v. Syngenta AG, et al.,
No. 16-2788-JWL-JPO***

***Trans Coastal Supply Company, Inc. v.
Syngenta AG, et al., No. 2:14-cv-02637-
JWL-JPO***

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

***Agribase International Inc. v. Syngenta AG,
et al., No. 2:15-cv-02279-JWL-JPO***

**TOUPS/COFFMAN PLAINTIFFS' COUNSEL'S MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND EXPENSES**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Pursuant to the Court's April 10, 2018 Preliminary Approval Order (Doc. #3532), Attorneys Mitchell A. Toups and Richard L. Coffman, on behalf of themselves and co-counsel, Richardson, Patrick, Westbrook & Brickman, LLC, and the referral counsel listed in Exhibit D to the Supporting Memorandum (collectively, "Toups/Coffman Plaintiffs' Counsel"), file this Motion for an Award of Attorneys' Fees and Expenses.

As set forth in detail in their Supporting Memorandum, Toups/Coffman Plaintiffs' Counsel respectfully request the Court to honor the contingent fee contracts between Toups/Coffman Plaintiffs' Counsel and each of their clients (*i.e.*, Toups/Coffman Plaintiffs), and compensate Toups/Coffman Plaintiffs' Counsel pursuant to the terms of such contracts in the minimum amount

of \$34 million of attorneys' fees and \$374,532.19 in reimbursement of expenses they reasonably incurred to prosecute this action on behalf of Toups/Coffman Plaintiffs—such attorneys' fees and expense reimbursement to be paid from the fund created to pay attorneys' and expenses pertaining to the settlement of this litigation.

In the alternative, if the Court abrogates the contingency fee agreements between Toups/Coffman Plaintiffs' Counsel and Toups/Coffman Plaintiffs (for which there is no law justifying same), Toups/Coffman Plaintiffs' Counsel request an award of attorneys' fees (in the amount of at least \$30 million with a minimum 1.5 multiplier) and an expense reimbursement (\$374,532.19) based on the time incurred and litigation expenses advanced in prosecuting this action on behalf of Toups/Coffman Plaintiffs. Or, in the further alternative, Toups/Coffman Plaintiffs' Counsel request an attorneys' fee award equal to a minimum 10% of the total amount set aside to pay all attorneys' fees (plus an expense reimbursement of \$374,532.19) since Toups/Coffman Plaintiffs' Counsel anticipate that Toups/Coffman Plaintiffs will file at least 10% of all of the settlement claims filed.

Date: July 10, 2018

Respectfully submitted,
By: /s/ Mitchell A. Toups
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**ON BEHALF OF TOUPS/COFFMAN
PLAINTIFFS AND ALL TOUPS/COFFMAN
PLAINTIFFS' COUNSEL**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Touns/Coffman Plaintiffs' Counsel's Motion for an Award of Attorneys' Fees and Expenses was served on all counsel of record, via the Court's electronic filing system, on July 10, 2018.

/s/ Mitchell A. Touns
Mitchell A. Touns