

**STATE OF MINNESOTA
COUNTY OF HENNEPIN****DISTRICT COURT
FOURTH JUDICIAL DISTRICT**

IN RE: SYNGENTA LITIGATIONCase Type: Civil Other
Hon. Laurie J. MillerThis Document Relates to:
All CasesFILE NO. 27-CV-15-12625
and FILE NO. 27-CV-15-3785

**MOTION OF BORGESS LAW, LLC FOR AWARD OF ATTORNEY FEES AND
REIMBURSEMENT OF COSTS**

Pursuant to ¶17 of the 4/10/18 MDL-2591 Order Preliminarily Approving the Settlement, as well as ¶¶2.25, 7.2.1, 7.2.2 and 7.2.3.2 of the Agrisure Viptera/Duracade Class Settlement Agreement in *In Re: Syngenta AG MIR 162 Corn Litigation* (MDL-2591) and *In Re: Syngenta Litigation*, (Fourth Judicial District Court, Hennepin County, Minnesota, File Nos. 27-CV-15-3785 & 27-cv-15-12625), Borgess Law, LLC on behalf of itself and local co-counsel (herein collectively referred to as “Movant”) for the Borgess Law, LLC clients identified in the attached Memorandum in Support, hereby respectfully seeks payment of the contractually agreed upon fees & expense reimbursement of \$1,703.25 based on their clients’ gross recoveries from any fund created to pay attorneys’ fees and expenses arising out of the recent preliminarily approved class action in the Syngenta Litigation.¹

In the alternative, Movant understands that some individual claimant attorneys may request payment from the Fund based on an hourly fee for reasonable time and costs incurred in

¹As described in the memorandum in support, at the present time it remains unclear if Movant’s time and expenses associated with complying with the Minnesota Plaintiff Fact Sheet order for its clients is or will be approved or submitted by Minnesota plaintiffs’ leadership as “common benefit” time, or what portion, if any, will ultimately be approved by the Court as “common benefit” time. Irrespective, Movant is not seeking double recovery. Instead, if Movant’s time for Plaintiff Fact Sheet work is approved and submitted by plaintiffs’ leadership for common benefit consideration and if such common benefit work is approved and awarded by the Court, Movant would request that the Court deduct any approved common benefit award from any total requested or awarded pursuant to this application.

the prosecution of the actions, including non-approved common benefit time. To the extent the Court awards attorneys representing individual claimants based on a reasonable hourly fee for time and costs incurred in the prosecution of the action (instead of ratification of their contingency fee agreements), Movant requests leave to supplement this request with detailed time reports of the Firm and associated co-counsel, which total over 250 hours of attorney time, and any other information or documentation the Court may require.

This motion is supported by the accompanying memorandum in support, the declaration of counsel, and corresponding invoice for expenses in the amount of \$1,703.25.

Date: 7/10/18

Respectfully Submitted,

/s/ Pamela A. Borgess
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed with the Clerk and an electronic copy served upon all counsel of record this 10th day of July, 2018.

/s/ Pamela A. Borgess
Pamela A. Borgess