

Brooks Pierce Files Class Action Lawsuit Against Syngenta on Behalf of North Carolina Farmers

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--Lawsuit alleges that genetically modified corn marketed by Syngenta caused lower corn prices for NC farmers--

Brooks Pierce has filed a class action lawsuit against Syngenta on behalf of North Carolina farmers who claim to have suffered substantial economic losses due to Syngenta's Agrisure Viptera and Agrisure Duracade genetically modified corn varieties.

Brooks Pierce partners [Clint Pinyan](#) and [Bob King](#), along with co-counsel Bill Chaney (Gray Reed & McGraw, P.C.), Don Downing (Gray, Ritter & Graham, P.C.) and Scott Powell (Hare, Wynn, Newell & Newton), filed the lawsuit on January 21 in the United States District Court for the Eastern District of North Carolina. The lawsuit alleges that Syngenta caused financial losses to North Carolina corn growers after it commercially sold Agrisure Viptera and Agrisure Duracade. Neither strain was approved in China, a major buyer of U.S. corn, during the relevant time period. China began rejecting shipments of U.S. corn in November of 2013 after it detected Agrisure Viptera in one shipment.

"The financial harm that Syngenta has caused North Carolina farmers and their families is significant and very damaging to our state's economy," said King. "We believe that Syngenta sold North Carolina farmers corn seed that it knew would be rejected by China, and we look forward to representing our state's hardworking corn growers."

With the loss of the Chinese market, prices for U.S. corn have plummeted. In 2014, the National Grain and Feed Association estimated the industry's losses to be between \$1 billion and \$2.9 billion because of the rejected corn. In North Carolina, the USDA estimated that 860,000 acres of corn were harvested in 2014, producing 103 million bushels of corn.

The North Carolina lawsuit is part of a larger group of national lawsuits coordinated by Gray, Reed & McGraw, P.C. of


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Dallas; Gray, Ritter & Graham of St. Louis; and Hare, Wynn, Newell & Newton of Birmingham, Alabama. To date, more than 360 lawsuits have been filed across the country by farmers and others in the U.S. corn industry. Farmers who have filed lawsuits represent more than 20 states. The lawsuits contend that Syngenta was aware of the potential damages from its actions, but continued to sell the corn seed nonetheless.

The lawsuits were recently consolidated for multidistrict litigation proceedings before the Honorable John W. Lungstrum in the U.S. District Court for the District of Kansas (Kansas City). On Jan. 22, Judge Lungstrum appointed Chaney, Downing and Powell, along with Patrick Stueve of Stueve Siegel Hanson in Kansas City, as plaintiffs' co-lead counsel in the litigation. As co-lead counsel, Chaney, Downing, Powell and Stueve will lead the preparation and presentation of all plaintiffs' claims against Syngenta. Their duties include coordinating all discovery in the cases, and speaking on behalf of plaintiffs at all court conferences and hearings. Brooks Pierce, in conjunction with co-counsel Batts, Batts & Bell of Rocky Mount, will lead efforts in North Carolina for the farmers.

Attachments:

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