

IN THE CIRCUIT COURT
TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

FRANCES E. KEMNER, et al.,)
)
 Plaintiffs,)
)
v.)
)
MONSANTO COMPANY,)
)
 Defendant.)

No. 80-L-970



DEFENDANT MONSANTO COMPANY'S MOTION FOR
PROTECTIVE ORDER

COMES NOW Defendant Monsanto Company and moves for a protective order restricting dissemination of certain materials prepared for use in other litigation, and in support hereof states as follows:

1. Monsanto has produced and will produce for in camera review by this Court certain documents prepared in connection with In re "Agent Orange" Product Liability Litigation, Cause No. MDL 381 pending in the United States District Court for the Eastern District of New York, and Adkins, et al. v. Monsanto Company, Cause No. 81-2098 pending in the United States District Court for the Southern District of West Virginia.

2. Said documents are not discoverable in those cases because it constitutes attorney work-product under the provisions of Federal Rule of Civil Procedure 26(b)(3).

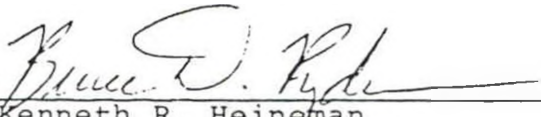
3. In the event this Court orders production of said documents or any portion thereof to Plaintiffs, disclosure of said documents to Monsanto's opposing parties or counsel in those cases would cause Monsanto unreasonable annoyance, expense,

disadvantage, and oppression, and would unduly prejudice Monsanto in its preparation and trial of those cases.

4. Entry of the proposed protective order will not prejudice Plaintiffs in the conduct of this case.

WHEREFORE, Defendant Monsanto Company prays that this Court enter a Protective Order in the form of the proposed Protective Order attached hereto.

COBURN, CROFT & PUTZELL

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