

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

FRANCES E. KEMNER, et al.,

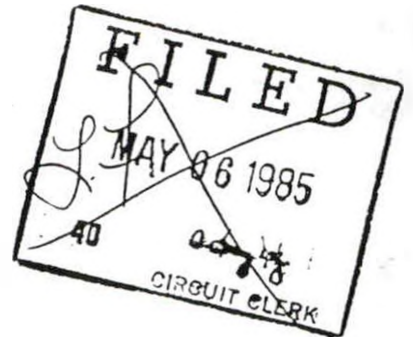
Plaintiffs,

v.

MONSANTO COMPANY,

Defendant.

No. 80-L-970



PROTECTIVE ORDER

Upon the Motion of Defendant Monsanto Company, the Court having been advised in the premises, it is hereby ORDERED as follows:

1. Whereas this Court's discovery orders in the above-entitled cause may require Monsanto Company to disclose certain documents prepared in anticipation of litigation in other cases pending against it which are not subject to discovery in those cases, the Court finds that Monsanto Company is entitled to a protective order restricting the use of such information to this litigation.

2. Monsanto Company may designate as work product material subject to this protective order any documents prepared in anticipation of litigation in other cases. Such designation may be made by marking documents supplied to Plaintiffs with the notation "Federal Work Product - Subject to Protective Order", or

by any other means which reasonably informs the parties that the documents are subject to the terms of this Order.

3. In the event that Plaintiffs desire to dispute Monsanto Company's designation of any document as subject to this Protective Order, Plaintiffs shall abide by the terms of this Order respecting the confidentiality of same unless or until the Court finds, upon motion duly made and presented, that said document was incorrectly designated as work product information.

4. All material subject to this Order is to be given to counsel for Plaintiffs and shown or disclosed only to the individual Plaintiffs and to no other persons. Said material is to be used only for purposes of this case and for no other purpose.

5. Upon the request of Monsanto Company made at the conclusion of this action, all documents subject to this Order (including copies thereof and extracts therefrom) shall promptly be returned to Monsanto Company.

6. Nothing in this Order shall be construed to regulate the conduct of the actual trial of this case, nor to limit the right of any party to seek amendments hereto, or to seek additional protective orders pertaining to pretrial proceedings and trial.

ENTERED this _____ day of _____, 1985.

Judge

CERTIFICATE OF SERVICE

The undersigned certifies that a true and accurate copy of the foregoing was hand-delivered this 6th day of May, 1985, to the following attorneys of record:

Mr. Rex Carr
Mr. Jerome Seigfreid
109 S. High Street
Belleville, Illinois 62221

