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22 *Attorneys for Plaintiffs*

23 **UNITED STATES DISTRICT COURT**  
24 **NORTHERN DISTRICT OF CALIFORNIA**  
25 **SAN FRANCISCO DIVISION**

26 **IN RE ROUNDUP PRODUCTS**  
27 **LIABILITY LITIGATION**

MDL No. 2741

Case No. 16-md-02741

28 This Document Relates To All Actions

**ADMINISTRATIVE MOTION TO FILE UNDER SEAL**

Pursuant to Civil Local Rules 79-5 and 7-11 and the Amended Protective and Confidentiality Order entered by the Court on September 6, 2017 (“Amended Protective Order”), Plaintiffs hereby submit this Administrative Motion to File Under Seal. Pursuant to the Amended Protective Order, “[w]hen a Party wishes to use a document that has been designated as

1 confidential in support of a motion or other filing with the court, it will move the Court to file the  
2 document under seal pursuant to Civil Local Rule 79-5....” See Amended Protective Order, ¶ 18.

3 **I. Plaintiffs Conditionally Lodge Under Seal Documents Designated as**  
4 **Confidential by Defendant Monsanto Company.**

5 Pursuant to Civil Local Rule 79-5(e), Plaintiffs hereby notify the Court that they have  
6 conditionally filed under seal a document which has been designated Confidential by Monsanto  
7 Company, or which contains or reference information so designated. Specifically, Plaintiffs  
8 have conditionally filed under seal Exs. 21, 35, 36, 53 and 91 to their Opposition to Monsanto  
9 Company’s *Daubert* and Summary Judgment Motion and in Support of Plaintiffs’ *Daubert*  
10 Motion. Pursuant to the Amended Protective Order, “the designating party will have 10 court  
11 days to file the responsive declarations required by Civil Local Rule 79-5(e).” See Amended  
12 Protective Order, ¶ 18.

13  
14 This application is also based on the information set forth in the Declaration of Aimee H.  
15 Wagstaff in Support of this Administrative Motion to File Under Seal, filed concurrently  
16 herewith.

17 Dated: October 27, 2017

18 /s/ Aimee Wagstaff  
Aimee Wagstaff, SBN 278480  
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22 *Co-Lead Plaintiffs’ Counsel*  
23 *For MDL 2741*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed with the Court and electronically served through the CM-ECF system which will send a notification of such filing to all counsel of record. .

DATED: October 27, 2017

/s/ Aimee Wagstaff

ANDRUS WAGSTAFF, PC

Aimee H. Wagstaff, SBN 278480

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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
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**WAGSTAFF DECLARATION IN  
SUPPORT OF ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL**

17 I, Aimee H. Wagstaff, declare:

18 1. I am a member of the executive committee of MDL 2741. I make this declaration  
19 in support of Plaintiffs' Administrative Motion to File Under Seal filed on October 27, 2017. I  
20 have personal knowledge of the facts stated herein and, if called as a witness, I could and would  
21 competently testify thereto.

22 2. Plaintiffs have filed conditionally under seal Exhibit Nos. 21, 35, 36, 53 and 91 as  
23 these documents contain or reference material and information designated Confidential by  
24 Monsanto.

25 3. Counsel for the Parties have met and conferred regarding the confidentiality of  
26 Exhibit 53 and Monsanto's counsel notified Plaintiffs' counsel that Monsanto is still evaluating  
27 the confidentiality designation of this document. I declare under penalty of perjury that the

1 foregoing is true and correct.

2 Executed this 27<sup>th</sup> day of October, 2017.

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4 /s/ Aimee H. Wagstaff

5 Aimee H. Wagstaff  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed with the Court and electronically served through the CM-ECF system which will send a notification of such filing to all counsel of record. .

DATED: October 27, 2017

/s/ Aimee Wagstaff  
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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE ROUNDUP PRODUCTS  
LIABILITY LITIGATION**

MDL No. 2741

Case No. 16-md-02741

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**[PROPOSED] ORDER REGARDING  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL**

Having reviewed Plaintiffs’ Administrative Motion to File Under Seal and the Declaration of Aimee H. Wagstaff in support thereof, the Court ORDERS that:

Plaintiffs’ Exhibits 21, 35, 36, 53 and 91 to their Opposition to Monsanto Company’s *Daubert* and Summary Judgment Motion and in Support of Plaintiffs’ *Daubert* Motion shall remain filed conditionally under seal for ten (10) days after the date they were originally filed conditionally under seal, pursuant to the Amended Protective and Confidentiality Order in this case and Civil Local Rule 79-5(e).

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Vince Chhabria  
Judge of the United States District Court

# EXHIBIT 21







# EXHIBIT 35













# EXHIBIT 36

























# EXHIBIT 53



























































































# EXHIBIT 91



















