

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN SOYBEAN ASSOCIATION

and

PLAINS COTTON GROWERS, INC.,

Plaintiffs,

v.

ANDREW R. WHEELER, et al.,

Defendants, and

SYNGENTA CROP PROTECTION, LLC,

**Proposed Intervenor-
Defendant.**

Case No. 1:20-cv-03190 (RCL)

**SYNGENTA CROP PROTECTION, LLC’S UNOPPOSED MOTION TO INTERVENE
AND FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Syngenta Crop Protection, LLC (“Syngenta”) respectfully moves to intervene in this matter in accordance with Federal Rule of Civil Procedure 24 and Local Rule 7. Plaintiffs, who represent cotton and soybean growers, challenge certain aspects of the registration for three agricultural herbicide products containing the active ingredient dicamba, recently approved by the United States Environmental Protection Agency (“EPA”) under the Federal Insecticide, Fungicide and Rodenticide Act (“FIFRA”). Plaintiffs also seek a declaration that other aspects of the registrations are lawful. Syngenta owns the registration for one of the three products, a pesticide product known as Tavium® Plus VaporGrip® Technology (“Tavium”) containing dicamba and another active herbicide ingredient, s-metolachlor. The challenged registration

decision approving Tavium permits Syngenta to sell and distribute Tavium for use on dicamba-tolerant soybeans and cotton in thirty-four states through December 20, 2025.

As the owner of one of the challenged EPA registrations at issue, Syngenta seeks leave to intervene as of right in this action to protect its property interests pursuant to Federal Rule of Civil Procedure 24(a)(2). In the alternative, Syngenta seeks permission to intervene pursuant to Federal Rule of Civil Procedure 24(b). In addition, Syngenta requests that its deadline to file a response to the Complaint be extended until the time of Federal Defendants' response.

Pursuant to Local Rule 7(m), Syngenta has conferred with counsel for the parties regarding this motion. Counsel for Plaintiffs indicated Plaintiffs consent to Syngenta's motion. Counsel for Defendants indicated that Defendants do not oppose Syngenta's motion. A Statement of Points and Authorities in support of this Motion and Proposed Order follow.

DATED: November 11, 2020

Respectfully submitted,

/s/ Karen Ellis Carr

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**STATEMENT OF POINTS AND AUTHORITIES IN SUPPORT OF
SYNGENTA'S MOTION TO INTERVENE AND FOR EXTENSION OF TIME TO
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