

NORTH CAROLINA
COUNTY OF WAKE

GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
25CV034830-910

NORTH CAROLINA STATE
UNIVERSITY,

Plaintiff,

v.

MONSANTO COMPANY and
PHARMACIA LLC,

Defendants.

**DEFENDANTS' MOTION TO DISMISS
AND MOTION TO STAY**

Pursuant to Rules 12(b)(1) and 12(b)(6) of the North Carolina Rules of Civil Procedure, Defendants Monsanto Company and Pharmacia LLC respectfully move to dismiss the amended complaint and, alternatively, to stay this action.

For the reasons described in the accompanying brief, the amended complaint fails to state a claim on which relief can be granted and, therefore, should be dismissed with prejudice.

Alternatively, as set forth in the accompanying brief, Defendants move the Court for a stay of this action pending the exercise of primary jurisdiction by the Environmental Protection Agency.

Respectfully submitted the 15th day of January, 2026.

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was electronically filed with the Wake County Clerk of Superior Court via Odyssey file and serve, as well as by email in accordance with Rule 5(b)(1) on the following:

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This the 15th day of January, 2026.

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