
**DOCKET NUMBER
CV-04-CLS-0562-M**

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

WENDELL F. GILLEY,
as an individual and as representative participant

Plaintiff,

v.

MONSANTO COMPANY, INC. et. al.

Defendants

DOCKET # 182

**PLAINTIFF'S ADDITIONAL EVIDENTIARY SUBMISSIONS
IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

Elisa Smith Rives
Attorney for Plaintiff
ELISA S. RIVES, LLC
Suite 103
2208 Ringold Street
Guntersville, AL 35976
(256) 582-3559

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

)	
)	
WENDELL F. GILLEY, an)	
individual and as representative)	
participant of the Plan,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	
)	CV-04- CLS-0562-M
MONSANTO COMPANY, INC.,)	
et. al.)	
)	
Defendants.)	
)	

PLAINTIFF’S EVIDENTIARY SUBMISSIONS IN SUPPORT OF

PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

COMES NOW Plaintiff, Wendell F. Gilley, by and through his counsel of record, and hereby submits the following evidence in support of Plaintiff’s motion for summary judgment in the above styled matter.

AFFIDAVITS

R 68	Elisa S. Rives	05-08-2005	Attachment 1
R 64	Donald R. James	04-25-2005	Appendix 2
R 106	Elisa S. Rives	12-05-2006	Appendix 3

All other affidavits previously submitted by Plaintiff including but not limited to affidavits submitted in support of the administrative appeal, Plaintiff's Exhibit 36 should be considered.

EXHIBITS

- Exhibit 1 Traditional Non-exempt "Handwritten Lists" recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH.
- Exhibit 2 Draw Texturing Roster "Typed Lists" recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH.
- Exhibit 3 Inspection Roster "Typed Lists" recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH.
- Exhibit 4 Process Department Roster "Typed Lists" recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH.
- Exhibit 5 Process Support Technician Roster "Typed Lists" recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH.
- Exhibit 5-1 Process Support Technician Roster "Typed Lists" recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH.
- Exhibit 6 Process Support Technician Roster "Typed Lists" recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH.
- Exhibit 7 Project Crew Layoff List "redacted" recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH.
- Exhibit 8 Remaining employees after 04/01/1981

- Exhibit 9 Potential Questions/Responses for Team-Leaders regarding pensions
- Exhibit 10 Script for Non-exempt recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH. Previously, submitted unlabeled at 168-14.
- Exhibit 11 Script for Exempt Not Redeployed recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH. Previously, submitted unlabeled at 168-17.
- Exhibit 12 Script for Management recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH. Previously, submitted unlabeled at 168-18.
- Exhibit 13 D-Day Announcement Plan for Plant Closure recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH. Previously, submitted unlabeled at 168-12.
- Exhibit 14 Instructions on D-Day for Team Leaders/Shift Supervisors Regarding Announcement Plan for Plant Closure recovered by Donald R. James and Elisa S. Rives from Sand Mountain plant labeled JBH. Previously, submitted unlabeled at 168-13.
- Exhibit 15 Presentation Documents relating peak capacity of Sand Mountain plant.

Respectfully submitted,
/s/ Elisa Smith Rives

Elisa Smith Rives
Attorney for plaintiff
Wendell F. Gilley
ASB # -9351-E61R

OF COUNSEL:
Elisa S. Rives, LLC
2208 Ringold Street, Ste 103
Guntersville, AL 35976

Tel: (256) 582-3559
Fax: (256) 582-3559
Cell: (256) 558-4626

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served by the electronic filing system of the Northern District of Alabama on the following counsel of record, this 29th day of April, 2008.

BRYAN CAVE, LLP
Jeffrey S. Russell
Darci Madden
211 N. Broadway
Suite 3600
St. Louis, MO 63102

BAXLEY, DILLARD, DAUPHIN,
McKNIGHT & BARCLIFT
William J. Baxley
Joel Dillard
Donald R. James, Jr.
2008 Third Avenue South
Birmingham, AL 35233
Attorney for Defendants

/s/ Elisa Smith Rives

Elisa Smith Rives
ASB # 9351-E61R