

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE GENETICALLY MODIFIED ) 4:06MD1811 CDP  
RICE LITIGATION ) ALL CASES

**CASE MANAGEMENT ORDER No. 30**

For the reasons stated on the record at the monthly status conference held on  
February 10, 2011,

**IT IS HEREBY ORDERED** that the following schedules shall apply:

**A. Non-Producer Cases**

For the following non-producer cases:

<i>Texana Rice Mill, Ltd., et al.</i> <i>v. Bayer CropScience LP, et al.</i>	4:07CV416 CDP
<i>Beaumont Rice Mills, Inc., et al.</i> <i>v. Bayer CropScience LP, et al.</i>	4:07CV524 CDP
<i>Kennedy Rice Dryers, LLC</i> <i>v. Bayer CropScience LP, et al.</i>	4:07CV1773 CDP
<i>Farmers Rice Milling Co., Inc.</i> <i>v. Bayer CropScience LP</i>	4:07CV1780CDP
<i>Planters Rice Mill, LLC</i> <i>v. Bayer CropScience LP, et al.</i>	4:07CV1795 CDP
<i>Gulf Pacific Rice Co., Inc., et al.</i> <i>v. Bayer CropScience LP, et al.</i>	4:08CV1545 CDP
<i>Phoenix Advisors, Ltd.</i> <i>v. Bayer CropScience LP, et al.</i>	4:08CV1794 CDP

**1. Discovery and Briefing in Non-Producer Cases**

a. Defendants shall make expert witnesses available for depositions and have depositions completed, no later than **April 25, 2011**.

b. Plaintiffs shall disclose rebuttal expert reports and make those experts available for depositions, and have depositions completed, no later than **May 10, 2011**.

c. All discovery shall be completed no later than **May 10, 2011**.

d. Any motions for summary judgment or motions to exclude or limit expert testimony under *Daubert* or for any other reason must be filed no later than **May 24, 2011**. Briefs in opposition must be filed by **June 21, 2011**, and any reply brief shall be filed no later than **July 6, 2011**.

**2. Trial Dates for Non-Producer Cases**

a. Trial for the *Farmers Rice Milling* case will commence on **November 7, 2011**.

b. Trial for the *Gulf Pacific* case shall commence on **March 19, 2012**. This trial will replace the producer trial previously scheduled in the Second Amendment to CMO No. 23.

c. Trial for the *Beaumont Rice Mills* case shall commence on **May 7, 2012**.

d. A joint trial for the *Kennedy Rice Dryers* case and the *Planters Rice Mill* case shall commence on **July 9, 2012**.

e. Trial for the *Texana Rice Mill* case shall commence on **September 10, 2012**.

f. Trial for the *Phoenix Advisors* case shall commence on **March 4, 2013**.

**3. Claims Remaining in *Tilda v. Riceland Foods***

The deadlines scheduled in section 4 of CMO No. 29 for the remaining claims in *Tilda Ltd. v. Riceland Foods, Inc., et al.*, 4:07CV457 CDP, specifically the affirmative claims asserted by Producers Rice Mill, Inc. against the Bayer defendants, are VACATED.

**4. *Cache River Valley Seed, LLC v. Bayer CropScience***

The deadlines scheduled in CMO No. 24 for *Cache River Valley Seed, LLC, et al. v. Bayer CropScience LP, et al.*, 4:07CV1293 CDP are modified as follows:

a. Plaintiffs shall disclose expert witnesses related to issues of individual damages and provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **May 17, 2011**, and shall make these expert witnesses available for depositions, and have depositions completed, no later than **June 17, 2011**.

b. Defendants shall disclose expert witnesses related to issues of individual damages and provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **July 18, 2011**, and shall make these expert witnesses available for depositions, and have depositions completed, no later than **August 18, 2011**.

c. All discovery shall be completed no later than **September 16, 2011**.

f. Any motions for summary judgment or motions to exclude or limit expert testimony under *Daubert* or for any other reason must be filed no later than **October 4, 2011**. Briefs in opposition must be filed by **November 15, 2011**, and any reply brief shall be filed no later than **November 30, 2011**.

**B. Additional Producer Cases to be Tried in this District**

1. Additional producer cases to be tried in this district are scheduled for **November 5, 2012** and **January 7, 2013**.

2. The parties shall select additional parties for these trials no later than **May 25, 2011**.

3. The parties shall provide a proposed schedule for these trials no later than **June 21, 2011**.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 28th day of February, 2011.