

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE: GENETICALLY MODIFIED  
RICE LITIGATION

4:06 MD 1811 CDP  
ALL CASES

This Notice relates to:

Tilda, Ltd. v Riceland Foods, et al

Case No. 4:07CV0457 CDP

AMENDED NOTICE OF DEPOSITION OF DAVID W. SWINEY

NOTICE is hereby given that on March 11, 2010, beginning at 9:00 am, at the offices of KPMG LLP, 717 North Harwood, Suite 3100, Dallas, Texas 75201, the attorneys for Tilda, Ltd will take the deposition of Riceland's damages expert, **David W. Swiney**.

The deposition is being taken upon oral examination pursuant to Federal Rule of Civil Procedure 30, and the testimony shall be recorded by stenographic means pursuant to Rule 30(b)(3), before an officer duly authorized to take depositions in accordance with Rule 28 of the Federal Rules of Civil Procedure.

The person listed in the Notice of Deposition is requested to bring:

- 1) Any notes, papers, documents, reports, studies, treatises, instruments, records, writings, manuscripts, articles, publications, accounts, books or texts which in his view support his opinion, or upon which he relied in reaching his opinion in this case.

These documents and other items are to be presented at the time and place of the taking of said deposition.

Tilda, Ltd hereby incorporates the Deposition Protocol set forth in the Notice of Oral and Videotaped Deposition of Dave Swiney [Document 2563] previously filed on behalf of the ENP plaintiff's, Tilda, Ltd., Veetee Rice Ltd and Rickmers Reismuehle GmbH.

DATED this 9<sup>th</sup> day of March, 2010.

Respectfully submitted,

BARBER, McCASKILL, JONES & HALE, P.A.  
Attorneys for Tilda, Ltd  
400 West Capitol Avenue, Suite 2700  
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(501) 372-6175

BY /s/ William H. Edwards, Jr.

William H. Edwards, Jr.	AR BIN 80040
Perry L. Wilson	AR BIN 00017

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served electronically by means of the Court's CM/ECF electronic filing system on March 9, 2010, on all counsel of record.

/s/ William H. Edwards, Jr.