

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

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**IN RE GENETICALLY MODIFIED RICE  
LITIGATION**  
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This filing relates to the following case:

Kennedy Rice Dryers, LLC  
v. Bayer CropScience, LP

Case No. 4:07-cv-01773-CDP

**THE BAYER DEFENDANTS’ REPLY TO THE PLAINTIFFS’ RESPONSE TO  
BAYER’S STATEMENT OF UNDISPUTED FACTS**

Bayer CropScience LP, Bayer CropScience Holding Inc., Bayer CropScience LLC, Bayer CropScience Inc., Bayer Corporation, Bayer BioScience NV, Bayer CopScience AG, Bayer CropScience Holding SA, Bayer AG, and Stoneville Pedigreed Seed Company (the “Bayer Defendants”), submit this reply to Kennedy’s Response to Bayer’s Statement of Undisputed Facts. The Bayer Defendants adopt the following Statements of Facts and Responses related to those the Plaintiffs incorporated: D.E. 1435, 1505, 1579, 2698, 2889, 3222, and 3355.

The Bayer Defendants hereby respond to the Plaintiffs’ additional contested facts that preclude summary judgment as follows:

1. The Bayer Defendants lack sufficient information to confirm or deny this allegation and therefore deny it. Kennedy cites no evidence to support the assertion.
2. Denied for the reasons stated in the Bayer Defendants’ opening and reply briefs.
3. Denied for the reasons stated in the Bayer Defendants’ reply brief.

Dated: August 2, 2011

Respectfully submitted,

/s/ John M. Hughes

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 2, 2011, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/ John M. Hughes

John M. Hughes