

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. 28

For the reasons stated on the record at the monthly status conference held on December 9, 2010,

IT IS HEREBY ORDERED that the following schedules shall apply:

1. Additional Arkansas Trials Set for May 16, 2011 and July 11, 2011

Any motions to exclude or limit expert testimony under *Daubert* must be filed no later than **January 20, 2011**. Briefs in opposition must be filed by **February 18, 2011**, and any reply brief shall be filed no later than **March 4, 2011**.

2. First Group of Remand Cases

Any motions to exclude or limit expert testimony under *Daubert* must be filed no later than **January 20, 2011**. Briefs in opposition must be filed by **February 18, 2011**, and any reply brief shall be filed no later than **March 4, 2011**.


3. Issues for the Status Conference Scheduled for January 13, 2011

a. Proposed trial and remand schedules for the remaining non-producer cases, including proposed trial dates for the cases in which the parties have filed *Lexecon* waivers.

b. A proposal for the pretrial submission deadlines for the Arkansas trials scheduled to begin on May 16, 2011 and July 11, 2011.

c. A discovery and briefing schedule for the non-producer case *Cache River Valley Seed, LLC, et al. v. Bayer CropScience LP, et al.*, 4:07CV1293 CDP

d. An update on the parties' progress toward completing the materials necessary for remand, such as a designation of the record on remand.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 13th day of December, 2010.