

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

IN RE GENETICALLY MODIFIED
RICE LITIGATION

4:06 MD 1811 CDP

ALL CASES

**JOINT REPORT OF LEAD COUNSEL
FOR JANUARY 13, 2011 STATUS CONFERENCE**

Don M. Downing and Adam J. Levitt, Lead Counsel for Plaintiffs, and Terry Lueckenhoff, Lead Counsel for Defendants, hereby report to the court that they believe the following matters will be taken up at the January 13, 2011, Pretrial Conference:

1. A proposal for the videotape testimony of Dr. Rene Van Acker for use at trial. (Garrison)
2. Extension of expert report deadlines for the second remand group. (Phipps)
3. 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. (Chaney)
4. A proposal for the pretrial submission deadlines for the Arkansas trials scheduled to begin on May 16, 2011 and July 11, 2011. (Garrison)
5. 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. (Lyons)
6. An update on the parties' progress toward completing the materials necessary for

remand, such as a designation of the record on remand. (Garrison)

Respectfully submitted,

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And

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CERTIFICATE OF SERVICE

I hereby certify that on January 6, 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/ Don M. Downing