

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE GENETICALLY MODIFIED ) 4:06 MD 1811 CDP  
RICE LITIGATION, )  
This document relates to:

*Beaumont Rice Mills, Inc. v. Bayer CropScience LP, et al.*  
Case No. 4:07-CV-0524-CDP

**JOINT STIPULATION CONCERNING VARIOUS MOTIONS FOR SUMMARY  
JUDGMENT AND TO EXCLUDE OR LIMIT EXPERT WITNESS TESTIMONY**

The Parties in the above-styled individual action, in an attempt to preserve judicial resources, file the following joint stipulation concerning various motions for summary judgment and to exclude or limit expert witness testimony. As the Court is aware, numerous motions for summary judgment and to exclude or limit expert witness testimony have been filed in related actions in this multidistrict litigation proceeding. Many of those motions raise legal and factual issues common to the issues raised in this action. The Parties have agreed to jointly stipulate that they are adopting and incorporating fully certain motions, responses, and replies on these common issues, and agreeing that the Court's prior rulings on those issues under the applicable choice(s) of law of Texas (as to Beaumont Rice Mills, Inc.) apply to this action, with each party preserving their appellate rights to the Court's rulings.

Attached to this paper as Exhibit "A" is a spreadsheet identifying the motions subject to this joint stipulation, the respective docket entry numbers under Case No. 4:06-MD-1811 relating to those motions, responses, and replies, and the Court's applicable rulings.

The Parties reserve their respective rights, under Case Management Order No. 30, to file any motions on issues previously briefed before the Court and on which the Parties could not reach a joint stipulation, as well as the right to file motions on issues that have not been previously raised by other parties.

DATED: July 19, 2011.

Respectfully Submitted,

MOORE LANDREY, L.L.P.

/s/ *Ethan L. Shaw*

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**CERTIFICATE OF SERVICE**

I certify that on July 19, 2011, I electronically filed the Joint Stipulation Concerning Various Motions for Summary Judgment and to Exclude or Limit Expert Witness Testimony with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the parties of record.

*/s/ Ethan L. Shaw*

ETHAN L. SHAW

**EXHIBIT A TO JOINT STIPULATION**

<b><u>Title of Motion</u></b>	<b><u>Docket Entry Numbers for Motion and Supporting Memoranda</u></b>	<b><u>Docket Entry Numbers for Memoranda in Opposition and Supporting Documents</u></b>	<b><u>Docket Entry Numbers for Reply Briefs and Supporting Documents</u></b>	<b><u>Court's Governing Ruling</u></b>
1. Bayer Defendants' Motion for Summary Judgment as to Plaintiffs' claim for punitive damages	3219, 3224	3315	3351	3495
2. Bayer Defendants' Motion for Summary Judgment re Express Federal Preemption	All Plaintiffs: 1053, 2142, 2147	All Plaintiffs: 1144, 2385	All Plaintiffs: 1165, 2550	All Plaintiffs: 1208, 2656
3. Bayer Defendants' Motion to Exclude Expert Testimony of Bruce Babcock, Rene Van Acker, Mark Halsey and Jeffrey Stein	All Plaintiffs: 3229	All Plaintiffs: 3313	N/A	All Plaintiffs: 3495