

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 DECEMBER 9, 2010 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 December 9, 2010, Pretrial Conference:

1. Report on trial and remand schedules for non-producer cases. (Chaney and Hughes)
2. Modification of Daubert motion briefing schedule for May, 2011 trial. (Downing and Hughes)
3. 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.
4. A proposal for the pretrial submission deadlines for the Arkansas trials.
5. A report on the potential for a trial of a non-producer case in this district.
6. The parties should also consider a procedure for complying with Rule 10.4 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation.

Respectfully submitted,

/s/ Don M. Downing
Don M. Downing, #41786
Gray, Ritter & Graham, P.C.
701 Market Street, Suite 800
St. Louis, Missouri 63101

And

/s/ Adam J. Levitt (w/consent)
Adam J. Levitt
Wolf Haldenstein Adler Freeman & Herz LLC
55 West Monroe Street, Suite 1111
Chicago, Illinois 60603

Lead Counsel for Plaintiffs

/s/ Terry Lueckenhoff (w/consent)
Terry Lueckenhoff, #43843
Fox Galvin, LLC
One S. Memorial Drive, 12th Floor
Saint Louis, Missouri 63102

Lead Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2010, 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