

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

**IN RE GENETICALLY MODIFIED  
RICE LITIGATION**

**MDL - 4:06 MD 1811 CDP**

**This Document Relates To:**

**DESHOTELS FARM MANAGEMENT**

**Plaintiff**

**v.**

**BAYER CROPSCIENCE LP, BAYER AG,  
BAYER CROPSCIENCE AG, BAYER  
CROPSCIENCE HOLDING, INC.  
BAYER CROPSCIENCE, INC.,  
AND STARLINK LOGISTICS INC.,**

**Defendants**

**SLLI'S MOTION TO STAY EXECUTION ON JUDGMENT PENDING APPEAL**

Defendant StarLink Logistics Inc. ("SLLI") moves for a stay of execution of the judgment entered in this action pending final resolution of the appeals to the United States Court of Appeals for the Eighth Circuit based on the following:

1. On December 13, 2010, the Bayer Defendants filed a motion to stay execution on judgment pending appeal and for approval of a supersedeas bond. (Rec. Doc. 3730)
2. On December 9, 2010, the Bayer Defendants and SLLI timely filed their Notices of Appeal (Rec. Docs. 3274, 3276)
3. SLLI's liability in this matter results from this Court's legal finding that it is liable solely in its capacity as the former general partner of Aventis CropScience USA, LP (now known as Bayer CropScience LP). Accordingly, any relief afforded to the

Bayer Defendants on appeal should likewise inure to the benefit of SLLI as its liability is purely derivative.

4. As the supersedeas bond proposed by the Bayer defendants will be sufficient to cover the judgment in its entirety and as any liability of SLLI is purely derivative of Bayer CropScience LP, the judgment entered in this matter should also be stayed as to SLLI.
5. SLLI therefore requests that an Order be entered approving bond proposed by Bayer and that execution of the judgment be stayed as to all defendants upon the payment of the bond to the Clerk of this Court.

WHEREFORE, SLLI respectfully requests that this Court enter an order approving of the supersedeas bond proposed by Bayer and staying Plaintiffs from executing on the judgment until all of defendants' appeal rights have been exhausted.

Respectfully submitted,

/s/Pamela R. Mascari

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2010 the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all counsel of record who have properly registered for electronic notification.

/s/ Pamela R. Mascari