

RECEIVED

Bond No. 55S101197

JAN - 3 2011

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

**U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS**

DESHOTELS FARM MANAGEMENT)

Plaintiff,)

NO. 4:06MD1811 CDP)

v.)

BAYER AG, BAYER CROPSCIENCE, AG,)
BAYER CROPSCIENCE LP,)
BAYER CROPSCIENCE HOLDING, INC.,)
BAYER CROPSCIENCE, INC. and STARLINK)
LOGISTICS, INC.)

Defendants.)

SUPERSEDEAS BOND

KNOW ALL MEN BY THESE PRESENTS, That we, BAYER AG, BAYER CROPSCIENCE, AG, BAYER CROPSCIENCE LP, BAYER CROPSCIENCE HOLDING, INC., BAYER CROPSCIENCE, INC. and STARLINK LOGISTICS, INC. as Principal, and Safeco Insurance Company of America, a Washington corporation, as Surety are held and firmly bound unto DESHOTELS FARM MANAGEMENT in the amount of Six Hundred Forty-Five Thousand Eight Hundred Eighty-Four and 13/100 Dollars (\$645,884.13) for the payment of which, well and truly to be made, we bind ourselves, our successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said BAYER AG, BAYER CROPSCIENCE, AG, BAYER CROPSCIENCE LP, BAYER CROPSCIENCE HOLDING, INC., BAYER CROPSCIENCE, INC. and STARLINK LOGISTICS, INC. has petitioned the United States District Court, Eastern District of Missouri, Eastern Division for post-trial relief from judgment and if necessary an appeal to court of competent jurisdiction, wherein the said BAYER AG, BAYER CROPSCIENCE, AG, BAYER CROPSCIENCE LP, BAYER CROPSCIENCE HOLDING, INC., BAYER CROPSCIENCE, INC. and STARLINK LOGISTICS, INC. are Defendants.

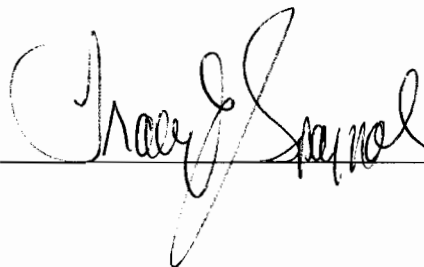
NOW THEREFORE, the condition of this obligation is such that if the said BAYER AG, BAYER CROPSCIENCE, AG, BAYER CROPSCIENCE LP, BAYER CROPSCIENCE HOLDING, INC., BAYER CROPSCIENCE, INC. and STARLINK LOGISTICS, INC. shall pay all costs, disbursements and judgments incurred by reason of the said appeal proceeding, then this obligation shall be null and void and released, otherwise to remain in full force and effect, provided however, the maximum liability of the surety shall not

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exceed the penal sum Six Hundred Forty-Five Thousand Eight Hundred Eighty-Four and 13/100 Dollars (\$645,884.13).

IN WITNESS WHEREOF, BAYER AG, BAYER CROPSCIENCE, AG, BAYER CROPSCIENCE LP, BAYER CROPSCIENCE HOLDING, INC., BAYER CROPSCIENCE, INC. and STARLINK LOGISTICS, INC., as Principal and Safeco Insurance Company of America, as Surety, have hereunto set our hands this 15th day of December, 2010.

BAYER CROPSCIENCE LP
BAYER CROPSCIENCE HOLDING, INC.
BAYER CROPSCIENCE INC.

By: 

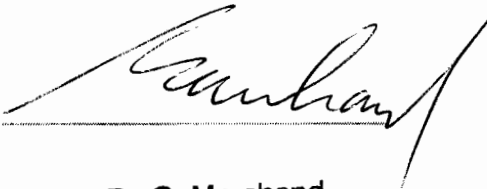
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BAYER AG

By: ppa. Lemson *for the issuer*

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BAYER CROPSCIENCE, AG

By: 

Dr. G. Marchand
General Counsel

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STARLINK LOGISTICS, INC.

By:  _____

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Safeco Insurance Company of America

By: Wendy A. Bright
Wendy A. Bright, Attorney-in-Fact