

United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
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St. Louis, Missouri 63102

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August 04, 2010

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RE: 10-2703 Jim Penn and Joe Penn, et al v. Bayer CropScience LP, et al

Dear Counsel:

The district court clerk has transmitted a notice of appeal in this matter, and we have docketed it under the caption and case number shown above. Please include the caption and the case number on all correspondence or pleadings submitted to this court.

Counsel in the case must supply the clerk with an Appearance Form. Counsel may download or fill out an [Appearance Form](#) on the "Forms" page on our web site at www.ca8.uscourts.gov.

This case has been consolidated with appeal no. 10-2708, Jim Penn and Joe Penn, et al. v. Bayer CropScience LP, et al, for briefing and submission to the court. The court has established a consolidated briefing schedule for the cases, a copy of which will be forwarded under separate notice of docket activity. Please refer to the schedule and note the key filing dates. You should also review Federal Rules of Appellate Procedure 28 and 32, as well as Eighth Circuit Rules 28A and 32A. Sample briefs are available on our website, the address of which is shown above.

Within 14 days of today's date, counsel for appellant must: (1) file a verification that any transcripts needed for the appeal have been ordered and that satisfactory arrangements have been made for payment, and (2) file a notice of the method of appendix preparation selected for the case. Eighth Circuit Rule 30A contains detailed information on appendix preparation.

The court has directed the clerk's office to monitor and enforce compliance with the briefing schedule. Failure to file your brief will result in issuance of a show cause order and may lead to dismissal of the appeal. Requests for extensions of time must be timely and should establish good cause. Overlength briefs are strongly discouraged.

Please note the provisions of Eighth Circuit Rule 32A governing briefs and reply briefs responding to multiple briefs.

On June 1, 2007, the Eighth Circuit implemented the appellate version of CM/ECF. Electronic filing is now mandatory for attorneys and voluntary for pro se litigants proceeding without an attorney. Information about electronic filing can be found at www.ca8.uscourts.gov/cmecfDir/cmecfstandingorder.pdf. In order to become an authorized Eighth Circuit filer, you must register with the PACER Service Center at <https://pacer.psc.uscourts.gov/psco/cgi-bin/cmecf/ea-regform.pl>. Questions about CM/ECF may be addressed to the Clerk's office.

If you have any questions about the schedule or procedures for the case, please contact our office.

Michael E. Gans
Clerk of Court

PSA

Enclosure(s)

cc: Mr. William Chaney
Ms. Angie Daley
Mr. Don Manley Downing
Ms. Teri Hanold Hopwood
Ms. Stacey T. Kelly
Ms. Gayle D. Madden
Mr. Scott A. Powell
Ms. Christine A. Simpson
Ms. Shannon White
Mr. James G. Woodward

District Court/Agency Case Number(s): 4:06-md-01811-CDP

Caption For Case Number: 10-2703

In re: Genetically Modified Rice Litigation

Jim Penn and Joe Penn, doing business as Penn Brothers Partnership; Penn Brothers Landleveling, Inc.; Denton Farms, Inc.; Black Dog Planting Company; Gary F. Goode; Trey Farms, Inc.; MK Farms, Inc.; Anna Farms, Inc.; 3G Farms; Jerry Catt and Donna Catt

Plaintiffs - Appellees

v.

Bayer CropScience LP; Bayer AG; Bayer CropScience AG; Bayer BioScience NV; Bayer CropScience Holding, Inc.; Bayer CropScience, Inc.

Defendants - Appellants

StarLink Logistics, Inc.

Defendant

Addresses For Case Participants: 10-2703

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