

1. On December 20, 2010 the Bayer Defendants filed motions for summary judgment (D.I. 3748) based on the economic loss doctrine (D.I. 3748, 3753), on Plaintiffs' claim for punitive damages (D.I. 3748, 3754), on all non-negligence counts (D.I. 3748, 3755) and landlord damages (D.I. 3748, 3756), as well as a statement of facts (D.I. 3752).

2. The motions and accompanying memoranda and statement of facts are directed to the trials commencing in May and in July, 2011. Plaintiffs' oppositions currently are due January 17, 2011.

3. Certain of plaintiffs' counsel responsible for the oppositions live in Little Rock, Arkansas, which has experienced significant amounts of snow and ice, resulting in interstate closings, power outages, and office closings. Due to extreme weather conditions and the press of other matters, counsel for Plaintiffs require a short extension in order to adequately prepare and present Plaintiffs' oppositions to Bayer's motions.

4. Counsel for Bayer has been contacted and has no objection to this request, which is made in the interests of justice and not for any purpose of delay.

WHEREFORE, the Arkansas Plaintiffs with trials commencing in May, 2011 and June, 2011 request an extension of time, up to and including January 24, 2011 in which to respond to the dispositive motions filed by the Bayer Defendants on December 20, 2011.

Respectfully submitted,

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Plaintiffs' Executive Committee

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have this 10th day of January, 2011, electronically filed a copy of the foregoing with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the parties of record.

/s/ Don M. Downing