

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

In re
Genetically Modified Rice Litigation

Master Case No. 4:06MD1811CDP
MDL Docket No. 1811

RIVIANA FOODS INC.

PLAINTIFF

v.

NO. 4:08cv375CDP¹

BAYER AG, BAYER CROPSCIENCE AG,
BAYER CORPORATION,
BAYER CROPSCIENCE, LP,
BAYER BIOSCIENCE nv,
RICELAND FOODS, INC.,
PRODUCERS RICE MILL, INC., and
PLANTERS RICE MILL LLC

DEFENDANTS

REPORT TO COURT REGARDING CASE STATUS

In response to the Court's Memorandum and Order (DE 2895), Riviana Foods Inc. ("Riviana") provides the Court with this report. Riviana's settlement with the Bayer defendants has been documented and consummated, and Riviana has reached resolutions with Riceland Foods, Inc. ("Riceland") and Producers Rice Mill, Inc. ("PRM"). All claims in this case thus have been resolved, including Riviana's severed claims against Riceland and PRM. The delay in providing the Court with definitive documentation dismissing the case has been caused by the drafting of an appropriate submission under Rule 41. Riviana circulated a proposed stipulation of dismissal under Rule 41(a)(1), to which Bayer agreed, with certain revisions. However, due to their concerns over Rule 41(a)(1)(B)'s potential (and unintended) effect of a stipulated order of dismissal as opposed to one approved by the Court under Rule 41(a)(2), Riceland and PRM

¹ Transferred from the United States District Court for the Southern District of Texas, No. 4:08cv00325.

are in the process of revising the stipulation and converting it to a motion for dismissal under Rule 41(a)(2). Riviana sincerely regrets the unanticipated delay, and it apologizes to the Court for not providing an update to its previous filing. The parties recognize the Court's desire to achieve final disposition of this case and are working towards a joint submission.

Respectfully submitted,

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By: /s/ Charles L. Schlumberger
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Attorneys for Riviana Foods Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON April 13, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the individuals designated on the clerk's service list for this case.

/s/ Charles L. Schlumberger
Charles L. Schlumberger