



**FOX GALVIN, LLC**

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EXHIBIT "A"

Plaintiffs in this lawsuit are farmers and their farming operations are located in Mississippi. They grow long grain rice.

Defendants are Bayer CropScience LP and several related companies. Bayer CropScience LP is a company with headquarters in North Carolina that is in the business of researching, developing and selling agricultural products. Bayer CropScience LP is an affiliate of Defendant, Bayer Corporation, with headquarters in Pennsylvania and of several European companies, including Defendants Bayer CropScience AG and Bayer AG, of Germany, and Bayer BioScience, NV, of Belgium. For now I will refer to all of these entities collectively as "Bayer."

This case involves two types of genetically modified rice, LibertyLink 601 and 604, developed and field tested by Bayer. These two types of rice, LibertyLink 601 & 604, were found in commercial rice supplies when they were still regulated by the USDA and were not permitted to be introduced into the commercial rice supply.

Plaintiffs contend that they suffered losses and incurred additional costs after there two types of genetically modified rice were found in commercial rice supplies. Plaintiffs contend Bayer was negligent and unreasonably interfered with Plaintiffs' use of their land.

The Defendants contend that they were not negligent, but rather acted reasonably and with appropriate care in their development and field testing of these types of rice and that they did not unreasonably interfere with Plaintiffs' use of their land. The Defendants also dispute the losses that Plaintiffs' claim.