

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

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**IN RE GENETICALLY MODIFIED RICE  
LITIGATION**

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**4:06 MD 1811 CDP**

**ALL CASES**

This document relates to:

- Benny Wleczyk, et al. v. Bayer CropScience LP, et al.*
- Tim Anderson, et al. v. Bayer CropScience LP, et al.*
- Henry J. Hlavinka, Sr. et al. v. Bayer CropScience LP, et al.*
- Darby Hoffman et al. v. Bayer CropScience LP, et al.*
- Edward Korenek, et al. v. Bayer CropScience LP, et al.*
- Leon Pavlock, et al. v. Bayer CropScience LP, et al.*
- Rodney Pederson, et al. v. Bayer CropScience LP, et al.*
- Thomas A. Smaistrla, et al. v. Bayer CropScience LP, et al.*
- David R. Polak, et al. v. Bayer CropScience LP, et al.*
- Rudy Polak, et al. v. Bayer CropScience LP, et al.*
- Walter E. Dutcher, et al. v. Bayer CropScience LP, et al.*
- Brad Engstrom, et al. v. Bayer CropScience LP, et al.*
- David Guthman, et al. v. Bayer CropScience LP, et al.*
- Terrence Hlavinka Cattle Co., et al. v. Bayer CropScience LP, et al.*
- John Kramr et al. v. Bayer CropScience LP, et al.*
- Rosemary W. Wied, et al. v. Bayer CropScience LP, et al.*
- Jim Wiese, et al. v. Bayer CropScience LP, et al.*
- Woodsland Farms, et al v. Bayer CropScience LP, et al.*
- Raymond Franz Interest, Inc., et al. v. Bayer CropScience LP, et al.*

and

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ARKANSAS  
(CIVIL DIVISION - FIFTH)**

**CASE NO. CV-2009-173-5**

Briggs, et al.  
v. Bayer CropScience LP, et al.

**BAYER CROPSCIENCE LP'S NOTICE  
TO TAKE VIDEOTAPED DEPOSITION OF STEPHEN A. FORD, PH.D.**

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal and Arkansas Rules of Civil Procedure, Defendant Bayer CropScience LP will take the deposition of **Stephen A. Ford, Ph.D.**, on Tuesday, August 31, 2010, beginning at 12:00 p.m. mountain time at the offices of Barlit Beck Herman Palenchar & Scott LLP, 1899 Wynkoop Street, 8<sup>th</sup> Floor, Denver, Colorado 80202, 303.592.3113, and continuing thereafter until completed. The deposition will be recorded by a certified shorthand court reporter and by videotape.

Pursuant to the Deposition Protocol set forth in the Agreed Order Setting Deposition Protocol entered December 3, 2007, please provide notice of intent to attend a deposition by contacting Elizabeth Costner at [elizabeth.costner@bartlit-beck.com](mailto:elizabeth.costner@bartlit-beck.com) or (303) 592-3148, with the names and party affiliations of those who plan on attending the deposition at least seven (7) days before the deposition.

The witness is directed to bring to his deposition the materials and documents listed in Exhibit "A" attached.

Dated this 25th day of August, 2010.

Respectfully submitted,

/s/ John M. Hughes  
John M. Hughes

William F. Goodman, III  
Joseph J. Stroble  
Elizabeth M. Gates  
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**BARTLIT BECK HERMAN PALENCHAR  
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Jameson R. Jones  
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1899 Wynkoop Street, 8<sup>th</sup> Floor  
Denver, Colorado 80202

***ATTORNEYS FOR THE BAYER DEFENDANTS***

**CERTIFICATE OF SERVICE**

This is to certify that I have this 25th day of August, 2010, electronically filed a copy of the foregoing with the Clerk of Court to be served by operation of the Court's electronic filing system upon the parties of record and served upon the state court parties by electronic and US Mail.

/s/ John M. Hughes  
John M. Hughes

**EXHIBIT A**

- 1) A complete copy of his file, cover to cover that can be used during the deposition and taken by defense counsel upon conclusion, including electronically stored information relating to this case and any other papers or data possessed by the witness.
- 2) Copies of all items provided to him by the Plaintiffs' counsel in this case which were reviewed by him in order to provide background or information in order for him to prepare an opinion in order to testify in this case.
- 3) Copies of all items which may be used by him as demonstrations, exhibits or aids in the course of his testimony at the trial of this matter.
- 4) Copies of resumes, curriculum vitae or statements of professional background in his possession.
- 5) A list of all litigation in which he has been retained as an expert witness since January 1, 2005, indicating for each case whether he was retained by the plaintiff or whether he was retained by the defendant.
- 6) An itemized list of time, charges and expenses for services or opinions rendered by him in this case.
- 7) A complete copy of any documents the witness believes are relevant to his opinions.
- 8) All correspondence, memoranda, demonstrations, video tapes or any other items gathered, tested or created in the course of your investigation or in any work performed by others at your request in this case. Material previously produced on CD or in excel files are not required. Also, documents that the parties agreed were not discoverable, e.g. preliminary draft reports, are not required.