

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

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<b>IN RE GENETICALLY MODIFIED RICE LITIGATION</b>	) ) ) ) )	<b>4:06 MD 1811 CDP</b>
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**ALL CASES**

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**NOTICE OF VIDEOTAPED 30(b)(6) DEPOSITION  
OF PRODUCERS RICE MILL, INC.**

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendant Bayer CropScience LP will take the deposition of Producers Rice Mill at Wright, Lindsey & Jennings, LLP, 200 West Capitol Avenue, Suite 2300, Little Rock, Arkansas 72201-3699 at the times noted below. The deposition will be recorded by a certified shorthand court reporter and by videotape and will continue until completed.

<b>Date and Time</b>	<b>30(b)(6) Deponent</b>
June 30, 2010 at 9:00 am	Kent Lockwood

Pursuant to Federal Rule of Civil Procedure 30(b)(6) you are requested to designate one or more officers, directors or managing agents, or other persons who consent to testify on the deponent's behalf, and to testify to the matters known to or reasonably available to the deponent for the topics covered by **Schedule A** to this Notice.

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 Renée Grimmertt at [renee.grimmertt@bartlit-beck.com](mailto:renee.grimmertt@bartlit-beck.com) or (303) 592-3168, with the names and party affiliations of those who plan on attending the deposition at least seven (7) days before the deposition.

Dated this 26th day of June, 2010.

Respectfully submitted,

/s/ Lester C. Houtz  
Lester C. Houtz

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***ATTORNEYS FOR BAYER CROPSCIENCE LP***

**CERTIFICATE OF SERVICE**

This is to certify that I have this 26th day of June, 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.

/s/ Lester C. Houtz

**SCHEDULE A**

The matters on which examination is requested are:

1. All analysis, surveys, studies, or commentary on potential or actual markets for long grain rice performed by or for Producers Rice Mill from 2001 to the present and the identity and location of any such documents.
2. Any sales estimates, projections, or forecasts for any rice product or type made by or for Producers Rice Mill from 2001 to the present and the identity and location of any such documents.
3. All efforts by Producers Rice Mill from 2001 to the present to market or sell rice to any foreign or domestic market and the identity and location of any documents related to such efforts.
4. The milling, shipping, selling, and administrative costs incurred by Producers Rice Mill at its parboil and regular mill facilities and the identity and location of any documents relating to such costs.
5. The historical relationship between rough rice prices and the price of milled rice products sold by Producers Rice Mill and the identity and location of any documents relating to such relationship.
6. Detailed information regarding all credits issued by Producers Rice Mill as a result of the announcement regarding the presence of genetically modified rice in the U.S. rice crop and the identity and location of any documents relating to such credits.
7. Detailed information regarding all rice repurchased by Producers Rice Mill as a result of the announcement regarding the presence of genetically modified rice in

the U.S. rice crop and the identity and location of any documents relating to such repurchases of rice.

8. All costs incurred by Producers Rice Mill in reselling the rice repurchased as a result of the announcement regarding the presence of genetically modified rice in the U.S. rice crop, including remilling costs, and the identity and location of any documents relating to such costs.
9. The milling capacity and utilization of the Producers Rice Mill's parboil and regular mill facilities.
10. An accounting of Producers Rice Mill's sales of long grain rice and related products from 2001 to the present, including the breakdown of the volume of those sales in to domestic and foreign markets.
11. The actual profit margins received by Producers Rice Mill from its rice milling operations from 2001 to the present at each of the mills operated by Producers Rice Mill.
12. Producers Rice Mill's financial condition from 2001 to the present, including annual profits and losses, annual income statements, and any calculation of profit margins and/or milling margins and any documents relating to Producers Rice Mill's financial condition.
13. The price Producers Rice Mill paid for the rice that is the subject of its inventory loss claim and the disposition of the rice that is the subject of Producers Rice Mill' inventory loss claim.
14. All steps taken by Producers Rice Mill to mitigate any claimed damages.
15. All communication between Producers Rice Mill and any representative or

employee of any Bayer Defendant.

16. The specific identity of sales that Producers Rice Mill claims it lost due to the LLRICE announcements.
17. All guarantees, promises, or statements made by Producers Rice Mill regarding whether its rice contained genetically modified rice and all steps taken to validate, support, or verify any such statements.
18. Producers Rice Mill' understanding of available testing for genetically modified content of rice available from 2001 through the end of 2006.
19. All communications to or from rice industry participants regarding LLRICE or genetically modified rice.
20. All additional testing procedures implemented by Producers Rice Mill to test for the potential presence of GM rice in the rice processed by Producers Rice Mill.
21. All customer notifications or complaints regarding the presence of genetically modified rice in rice sold or provided by Producers Rice Mill, all internal communications regarding such notifications or complaints, the basis for deciding whether or not to investigate such notifications or complaints, the identity of those who were told of such customer notifications or complaints, all communications with the USDA, the Arkansas State Plant Board, Bayer, any member of the rice industry, or any governmental agency, and the identity and location of all documents relating to such customer notifications or complaints.
22. The process utilized by Producers Rice Mill to determine what type of rice product to produce.
23. Producers Rice Mills storage capacity for rough and milled rice and how the

24. The historical monthly volume of each type of rice in storage at Producers Rice Mill from 2001.
25. The process by which Producers Rice Mill determines the price it will pay for rough rice and the percent which is purchased at cash prices or on forward contracts.
26. The process by which Producers Rice Mill determines the price at which it is willing to sell its milled rice.
27. Producer's Rice Mill's variable cost of milling each type of rice.