

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE GENETICALLY MODIFIED ) 4:06MD1811 CDP  
RICE LITIGATION )

**This Order Relates to:**

*Kenneth Bell, et al.*  
*v. Bayer CropScience LP, et al.*

*Jim Penn, et al.*  
*v. Bayer CropScience LP, et al.*

**ORDER**

Pursuant to the parties' agreed submissions [#2828, 2829],

**IT IS HEREBY ORDERED** that plaintiffs' motions to tax costs [#2182, 2605] are granted in part as follows:

The Clerk of Court shall tax costs of the first bellwether trial in favor of plaintiffs Kenneth Bell and Zachary Bell as partners of Bell Planting Company, NEZ, Inc., Carolyn Bell, Charles Bell, Edwin Groves, Erin Bell, Nathan Bell, A.L. Blair, Bell AGCO LLC, Shawan Farms LLC, NAKE LLC, and ZANA LLC as partners of Bottom Farms, and JH Hunter Farms, LLC in the amount of **\$292,733.23** against defendants Bayer AG, Bayer CropScience AG, Bayer BioScience NV, Bayer CropScience LP, Bayer CropScience Holding, Inc., Bayer CropScience, Inc., and Starlink Logistics, Inc.; these costs shall be included in the judgment dated December 10, 2009 [#2077].

The Clerk of Court shall tax costs of the second bellwether trial in favor of plaintiffs Jim Penn and Joe Penn, partners in Penn Brothers Partnership, Penn Brothers Landleveling, Inc., Denton Farms, Inc., Jerry Catt, Donna Catt, Black Dog Planting Company, Gary F. Goode, Trey Farms, Inc., MK Farms, Inc., Anna Farms, Inc., and 3G Farms, Inc. in the amount of **\$31,580.40** against Bayer CropScience LP, Bayer CropScience AG, Bayer BioScience NV, Bayer AG, Bayer CropScience Holding, Inc., Bayer CropScience, Inc., and Starlink Logistics Inc.; these costs shall be included in the judgment dated February 11, 2010 [#2534].



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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 11th day of May, 2010.