

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

IN RE GENETICALLY MODIFIED RICE LITIGATION)	4:06 MD 1811 CDP
)	
)	ALL CASES
)	
)	

**JOINT REPORT OF LEAD COUNSEL
FOR DECEMBER 3, 2009 STATUS CONFERENCE**

Come now Don Downing and Adam J. Levitt, Lead Counsel for Plaintiffs, and Terry Lueckenhoff, Lead Counsel for Defendants and report to the court that they believe the following matters will be taken up at the December 3, 2009 Status Conference:

I. Proposal to amend CMO 16, Paragraphs 2a and 2b regarding Second Group of Cases to be remanded as follows:

2. Second Group of Cases to be Remanded: No later than **December 14, 2009**, lead counsel from each side will select an additional ten cases from each of the following originating districts: Eastern District of Arkansas, Western District of Louisiana, and Southern District of Texas. Each side will thus select 30 cases for a total of 60 in this second group.

a. For cases in this group, amendments of pleadings shall be due no later than **December 31, 2009**.

b. Case-specific written discovery and notices of deposition related to these plaintiffs' claims may be served on or after **January 7, 2010**.

All case-specific fact discovery shall be completed no later than **August 20, 2010**.

II. The Non Producers intend to raise the following issues:

- a. Omission from CMO 19 (Doc. 1558) of deadline for Requests for Admission in Non-Producer Cases comparable to that set in CMO 16, Part IV.2 (Doc. 1129) (John Baker).
- b. Issues regarding Riceland Foods, Inc.'s Responses to Veetee Rice Limited's Requests for Production of Documents regarding:
 - Communications between Riceland and European Union importers regarding restrictions or regulations on GM rice and food. First Set of Requests for Production of Documents, Nos. 33 and 54.
 - Documents regarding Riceland's ability to supply GM free rice, or statements that the rice it exported was not genetically modified. First Set of Requests for Production of Documents, Nos. 36, 58 and 59.
 - Copies of Riceland's monthly and year-end brokerage account statements from 2002-2006 regarding rice contracts purchased and/or sold on commodity exchanges. Third Set of Requests for Production of Documents, No. 1.
 - Documents reflecting testing of Riceland's inventory of rice for the presence of genetic modification, including testing done in 2007, 2008 and 2009. Fourth Set of Requests for Production of Documents, No. 1. (John Perkins or Debra Brown).

III. Dispute regarding expert depositions in European Non-Producer Cases.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2009, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/ Terry Lueckenhoff