

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

In re
Genetically Modified Rice Litigation

Master Case No. 4:06MD1811CDP
MDL Docket No. 1811

RIVIANA FOODS INC.

PLAINTIFF

v.

NO. 4:08cv375CDP¹

BAYER AG, BAYER CROPSCIENCE AG,
BAYER CORPORATION,
BAYER CROPSCIENCE, LP,
BAYER BIOSCIENCE nv,
RICELAND FOODS, INC.,
PRODUCERS RICE MILL, INC., and
PLANTERS RICE MILL LLC

DEFENDANTS

JOINT REPORT TO COURT REGARDING CASE STATUS

In response to the Court's inquiries at the April 14, 2010 status conference, Riviana Foods Inc. ("Riviana") and the Bayer defendants ("Bayer") provide the Court with this report on the status of this action:

1. On April 9, 2010, Riviana and Bayer reached a settlement of Riviana's damages claims (both its own damages claims and the Affiliates' damages claims) against Bayer. That settlement does not affect any pending actions in which Riviana is a co-defendant, nor does it affect any as yet unasserted claims in which Riviana is or might be in a defensive posture.

2. Bayer's counsel is preparing a settlement agreement that will be provided to Riviana's counsel for review and, in necessary, revision. The parties' counsel have a mutual understanding of the terms of the agreement, and they do not anticipate any difficulty in

¹ Transferred from the United States District Court for the Southern District of Texas, No. 4:08cv00325.

developing the final settlement document. Once that is achieved, the parties either will file a joint stipulation of dismissal pursuant to Fed. R. Civ. P. 41(a)(1) or present an agreed order to the Court for entry. The parties are optimistic that this can be accomplished within the next two weeks.

3. The settlement does not affect Riviana's claims against defendants Riceland Foods, Inc. and Producers Rice Mill, Inc., but Riviana's counsel is communicating with counsel for those parties and hopes to achieve separate resolutions with them shortly.

Respectfully submitted,

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Attorney for Bayer Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON April ____, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the individuals designated on the clerk's service list for this case.

/s/ Charles L. Schlumberger
Charles L. Schlumberger