

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE GENETICALLY MODIFIED) Case No. 4:06MD1811 CDP
RICE LITIGATION) ALL CASES

CASE MANAGEMENT ORDER No. 15

This Case Management Order results from the February 19, 2009 scheduling conference. This Order contains provisions regarding the adding of Louisiana State University as a party defendant, a briefing schedule for defendants' pending summary judgment motion on preemption, and rules for additional interrogatories to be propounded to the plaintiffs. Although I had intended to establish deadlines for cases that are not selected for bellwether trials and for cases that are expected to be remanded to their transferor districts, I believe I need to discuss the parties' proposals for those things further with counsel. That topic, therefore, will be considered at the upcoming March 5, 2009 telephone conference.

Accordingly,

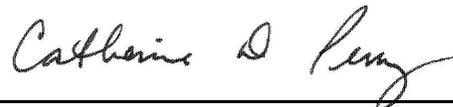
IT IS HEREBY ORDERED that:

1. Adding Louisiana State University. The stay on amendment of pleadings for all non-trial pool producer cases remains in effect. Any plaintiff wishing to add Louisiana State University as a party defendant may do so **no earlier** than **March 16, 2009**.

2. Summary Judgment Briefing Schedule. Plaintiffs' omnibus response to the defendants' pending motion for summary judgment based on preemption shall be filed no later than **March 10, 2009** and is limited to no more than 40 pages. Any individual plaintiff may file an individual response to the motion no later than **March 12, 2009**. Such responses are limited to 10 pages. Defendants' reply brief shall be filed no later than **March 20, 2009** and is limited to no more than 20 pages. The motion is set for oral argument at **11:30 a.m. on April 16, 2009 in Courtroom 14-South**. The regularly scheduled telephone conference for that date will instead be handled in the courtroom (in person) immediately following the argument, but the Court will allow non-lead counsel to participate by telephone as in the past.

3. Additional Interrogatories to Trial Pool Plaintiffs. Defendants may propound an additional five global contention interrogatories to the trial pool plaintiffs. Defendants are not allowed to propound any additional specific interrogatories, with the understanding that plaintiffs will make their best efforts to comply with any specific requests for individual discovery that are not unduly burdensome or unreasonable.

IT IS FURTHER ORDERED that counsel shall be prepared to discuss at the March 5, 2009 telephone conference the proposed schedules for non-bellwether cases and cases to be remanded.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 25th day of February, 2009.