

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE GENETICALLY MODIFIED)
RICE LITIGATION)

4:06 MD 1811 CDP
ALL CASES

FIRST AMENDMENT TO CASE MANAGEMENT ORDER No. 23

For the reasons stated on the record during the May 4, 2010 hearing, CMO

23 is modified as follows:

First Group of Cases to be Remanded:

1. General Liability and Damages Experts - The schedule for disclosure of expert testimony on the subject of liability and general damages for the first remand group will proceed as follows:

a. Plaintiffs shall disclose expert witnesses related to issues of liability and general damages and provide the reports required by Federal Rule of Civil Procedure 26(a)(2) no later than **June 7, 2010**, and shall make these expert witnesses available for depositions, and have depositions completed, no later than **July 2, 2010**.

b. Defendants shall disclose expert witnesses related to issues of liability and general damages and provide the reports required by Federal Rule of Civil Procedure 26(a)(2) no later than **July 30, 2010**, and shall make these expert witnesses available for depositions, and have depositions completed, no later than **August 27, 2010**.

c. Plaintiffs must disclose any rebuttal expert reports required by Federal Rule of Civil Procedure 26(a)(2) no later than **September 10, 2010**, and shall make these expert witnesses available for depositions (if appropriate under Case Management Order 17), and have depositions completed, no later than **September 24, 2010**.

d. Defendants must disclose any sur-rebuttal expert reports required by Federal Rule of Civil Procedure 26(a)(2) no later than **October 8, 2010**, and shall make these expert witnesses available for depositions (if appropriate under Case Management Order 17), and have depositions completed, no later than **October 22, 2010**.

2. **Dispositive Motion Briefing** - Any motions to dismiss, for summary judgment, or *Daubert* motions, or other motions to exclude or limit expert testimony must be filed no later than **October 29, 2010**. Opposition briefs shall be filed no later than **November 19, 2010** and any reply brief shall be filed no later than **December 3, 2010**.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 5th day of May, 2010