

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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

CASE MANAGEMENT ORDER No. 6

As stated in the status conference held on **November 29, 2007**,

IT IS HEREBY ORDERED that the following schedule shall apply:

1. **Motions to Dismiss relating to Jurisdiction:**

A. Plaintiffs' brief in opposition to the jurisdictional motions shall be filed by **April 11, 2008**. Defendants' reply brief shall be filed by **May 2, 2008**, and plaintiffs may file a surreply brief no later than **May 12, 2008**.

B. **Hearing:** The jurisdictional motions are scheduled for a hearing on **May 21, 2008** at **9:00 a.m.** in **Courtroom 14 South**. Attendance is mandatory for lead counsel, but all attorneys may attend this hearing. A telephone conference call will be arranged for those who wish to monitor the hearing, but do not wish to attend in person.

2. **Class Certification:**

A. The plaintiffs shall file their motion for class certification no later than **December 17, 2007**. Plaintiffs' opening memorandum shall not exceed **50** pages.

B. Plaintiffs shall disclose all expert witnesses they intend to use in support of class certification and provide the reports required by Fed. R. Civ. P. 26(a)(2) by **December 17, 2007**. Plaintiffs shall make these experts available for depositions no later than **February 7, 2008**.

C. Defendants shall file their response to plaintiffs' opening memorandum no later than **February 26, 2008**. Defendants' response shall not

exceed 75 pages.

D. Defendants shall disclose all expert witnesses they intend to use in opposition to class certification and provide the expert reports required by Fed. R. Civ. P. 26(a)(2) no later than **February 26, 2008**. Defendants shall make their experts available for depositions no later than **March 28, 2008**.

E. Plaintiffs shall identify any rebuttal experts and provide any rebuttal expert reports no later than **April 11, 2008**. Plaintiffs shall make their rebuttal experts available for deposition no later than **April 25, 2008**.

F. Plaintiffs shall file their reply memorandum no later than **April 28, 2008**. Plaintiffs' reply memorandum shall not exceed **60** pages.

G. Defendants may file a surreply memorandum no later than **May 6, 2008**. Defendants' surreply shall not exceed **30** pages.

H. A hearing on plaintiffs' motion for class certification shall be held on **May 22, 2008** at **9:00 a.m.** in **Courtroom 14 South**. Attendance is mandatory for all lead counsel, but all other attorneys may attend the hearing. A telephone conference call will be set up for those attorneys who wish to monitor the proceedings, but do not wish to travel to St. Louis for the hearing.

3. Status Conference: The next status conference is set in this case for **Friday, February 8, 2008** at **11:00 a.m.** in **Courtroom 14 South**. As with the other conferences, the Court will provide a telephone number so that any non-lead counsel who wish to monitor the conference may do so.

IT IS FURTHER ORDERED that defendants' motion to amend/correct the class certification briefing and hearing schedule [#436] is granted in part as set forth above.

IT IS FURTHER ORDERED that defendants motion to clarify jurisdictional motion scheduling [#437] is granted in part as set forth above.

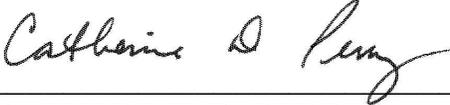
IT IS FURTHER ORDERED that defendants' motion for a protective order regarding jurisdictional discovery [#439] is withdrawn.

IT IS FURTHER ORDERED that plaintiffs' motion for an extension of the jurisdictional briefing schedule [#440] is granted in part as set forth above.

IT IS FURTHER ORDERED that defendants' motion to compel production of tax returns [#443] is granted.

IT IS FINALLY ORDERED that plaintiffs Texana Rice Mill, LTD, and Texana Rice, Inc.'s motion for an extension of time to file their reply memorandum [#446/#34 in 4:07CV416] is granted as stated at the hearing.

A separate order will be entered regarding the deposition protocol to be followed in this case.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of December, 2007.