

**SUPREME COURT OF ARKANSAS**

No. 10-1246

BAYER CROPSCIENCE LP ET AL.  
APPELLANTS

VS.

RANDY SCHAFER ET AL.  
APPELLEES**Opinion Delivered** October 10, 2011APPEAL FROM THE LONOKE  
COUNTY CIRCUIT COURT,  
[CV-06-413]HON. PHILLIP THOMAS  
WHITEAKER, JUDGESUPPLEMENTAL ADDENDUM  
ORDERED.**PER CURIAM**

Appellants Bayer CropScience LP; Bayer CropScience Holding, Inc.; Bayer CropScience AG; Bayer AG; and Bayer BioScience NV appeal the judgment of the Lonoke County Circuit Court reflecting the jury's award of compensatory and punitive damages in favor of appellees Randy Schafer; End of the Road Farms, Inc.; Schafer Planting Co.; Wallace Farms; Robert E. Moery, individually and in his capacity as Trustee of the Robert Moery Revocable Trust; Kyle Moery; Carter Farms Partnership; Petrus Farms, Inc.; Robert Petrus, individually and in his capacity as Trustee of the Robert Petrus Revocable Trust; R&B Amaden Farms; Randall J. Snider; R&S Planting Co., Inc.; S&R Farms; and Neil Daniels Farms. On appeal, appellants contend (1) that the circuit court erred in ruling that the statutory cap on punitive damages is unconstitutional; (2) that the appellees' claims should be barred by the economic-loss doctrine; (3) that the circuit court abused its discretion by

allowing the testimony of Jay Marsh concerning future damages; and (4) that the \$42 million punitive-damage award was improper. We order appellants to file a supplemental addendum within seven calendar days to cure deficiencies in their addendum.

Arkansas Supreme Court Rule 4–2(a)(8) (2011) requires that an appellant’s brief include an addendum consisting of all documents essential to the appellate court’s resolution of the issues on appeal. In addition, pursuant to Rule 4–2(a)(8)(A)(i), in a case where there was a jury trial, the jury verdict forms must be included in the addendum. Because appellants have not included the jury verdict forms in their addendum, we order them to correct this deficiency by filing a supplemental addendum within seven calendar days from the date of this opinion. Ark. Sup. Ct. R. 4–2(b)(4); *see also In Re 4–2(b) of the Rules of the Supreme Court*, 2011 Ark. 141 (per curiam).