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ATTEST

By Daron Payne on Aug 19, 2010

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONUNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

Aug 04, 2010

FILED
CLERK'S OFFICE

IN RE: GENETICALLY MODIFIED RICE LITIGATION

MDL No. 1811

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-42)

On December 19, 2006, the Panel transferred 11 civil actions to the United States District Court for the Eastern District of Missouri for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 466 F.Supp.2d 1351 (J.P.M.L. 2006). Since that time, 353 additional actions have been transferred to the Eastern District of Missouri. With the consent of that court, all such actions have been assigned to the Honorable Catherine D. Perry.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Missouri and assigned to Judge Perry.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Missouri for the reasons stated in the order of December 19, 2006, and, with the consent of that court, assigned to the Honorable Catherine D. Perry.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Missouri. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

Aug 19, 2010

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi

Clerk of the Panel

IN RE: GENETICALLY MODIFIED RICE LITIGATION

MDL No. 1811

SCHEUDLE CTO-42 - TAG-ALONG ACTIONS

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|---------------------------------|--|
| ARKANSAS EASTERN | |
| ARE 1 10-47 | David McClain, et al. v. Bayer CropScience LP |
| ARE 1 10-48 | David Anderson, et al. v. Bayer CropScience LP |
| ARE 1 10-49 | Don Wayne Anderson., et al. v. Bayer CropScience LP |
| ARE 1 10-50 | Griffin Land Company, Inc., et al. v. Bayer CropScience LP |
| ARE 1 10-51 | Matthew R. Luoma, et al. v. Bayer CropScience LP |
| MISSISSIPPI NORTHERN | |
| MSN 4 10-65 | Leroy Frey, et al. v. Bayer AG, et al. |