

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
 Judge John G. Heyburn II  
 United States District Court  
 Western District of Kentucky

**MEMBERS:**  
 Judge J. Frederick Motz  
 United States District Court  
 District of Maryland

Judge Robert L. Miller, Jr.  
 United States District Court  
 Northern District of Indiana

Judge Kathryn H. Vratil  
 United States District Court  
 District of Kansas

Judge David R. Hansen  
 United States Court of Appeals  
 Eighth Circuit

Judge W. Royal Furgeson, Jr.  
 United States District Court  
 Western District of Texas

Judge Frank C. Damrell, Jr.  
 United States District Court  
 Eastern District of California

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
 Clerk of the Panel  
 One Columbus Circle, NE  
 Thurgood Marshall Federal  
 Judiciary Building  
 Room G-255, North Lobby  
 Washington, D.C. 20002

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December 19, 2008

James G. Woodward, Clerk  
 3300 Thomas F. Eagleton U.S. Courthouse  
 111 South Tenth Street  
 St. Louis, MO 63102-1116

Re: MDL No. 1811-- IN RE: Genetically Modified Rice Litigation

(See Attached CTO-28)

Dear Mr. Woodward:


Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on December 3, 2008. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
 Clerk of the Panel

By   
 Dana L. Stewart  
 Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Catherine D. Perry

JPML Form 36A

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**A CERTIFIED TRUE COPY**

**ATTEST**

**By Dana Stewart on Dec 19, 2008**

**FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

**UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

**Dec 03, 2008**

**FILED  
CLERK'S OFFICE**

**FILED**

**DEC 19 2008**

**U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO**

**MDL No. 1811**

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: GENETICALLY MODIFIED RICE LITIGATION**

Roger Webb, et al. v. Riceland Foods, Inc., )  
E.D. Arkansas, C.A. No. 4:08-1048 )  
Devillier Seed, Inc., et al. v. Bayer CropScience, LP, )  
S.D. Texas, C.A. No. 3:08-236 )

**CONDITIONAL TRANSFER ORDER (CTO-28)**

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, 260 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.

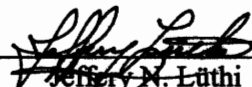
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Missouri. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-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.

**Dec 19, 2008**

**CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel