

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MONSANTO COMPANY and	)	
MONSANTO TECHNOLOGY LLC,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 4:09CV00686
	)	
E.I. DU PONT DE NEMOURS AND	)	
COMPANY and PIONEER HI-BRED	)	
INTERNATIONAL, INC.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter comes before the Court on Plaintiffs Monsanto Company and Monsanto Technology LLC's ("Monsanto") Ninth Motion to Compel Production of Withheld Documents [doc. #750] and Defendants E.I. du Pont de Nemours and Company and Pioneer Hi-Bred International, Inc's ("Defendants") Cross-Motion to Compel Production of Withheld Documents [doc. #767]. The Court held telephone conferences concerning these Motions on July 18, 2011 and July 22, 2011, and the parties and the Court were ultimately able to agree on a procedure, set forth below, for reviewing the allegedly privileged documents at issue.

Accordingly,

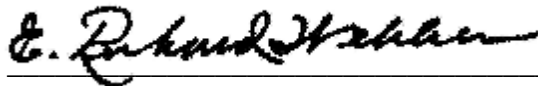
**IT IS HEREBY ORDERED** that the parties shall, no later than **August 1, 2011**, complete their review of the highlighted or challenged documents on their respective privilege logs and either de-designate those documents as privileged or provide them to the Court for *in camera* review.

**IT IS FURTHER ORDERED** that the parties shall complete a full review of their respective privilege logs and de-designate documents as appropriate, and produce that revised

privilege log to the opposing party no later than **August 19, 2011**. The parties shall then meet and confer and produce to the Court, for *in camera* review, any remaining challenged documents no later than **August 26, 2011**.

**IT IS FURTHER ORDERED** that for all documents produced for *in camera* review, the party claiming privilege must (1) supply the Court with information about the role of each person of significance mentioned in the document, (2) produce redacted and unredacted versions of all partially redacted documents, (3) produce the documents in hard copy and as pdf files, contained on a CD, USB drive, or other similar digital storage mechanism.

Dated this 22nd Day of July, 2011.



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E. RICHARD WEBBER  
SENIOR UNITED STATES DISTRICT JUDGE