

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

BAYER CROPSCIENCE LP, et al.,        )  
  )  
          Plaintiffs,                        )  
  )  
          v.                                    ) Case No. 4:13 CV 2375 CDP  
  )  
TEXANA RICE MILL, LTD., et al.,        )  
  )  
          Defendants.                        )

**ORDER NUNC PRO TUNC**

On March 19, 2018, I entered a Memorandum Opinion in this interpleader action finding that claimant Stearns Bank National Association was entitled to recover \$765,267.75 from the Bayer Settlement, and I ordered the Clerk of Court to disburse to Stearns Bank \$765,267.75 from the \$977,269.90 Net Settlement that was on deposit in the Court’s registry. I ordered the Clerk to disburse the remainder of the Net Settlement, that is, \$212,002.15, to claimant Amegy Bank National Association. (Mem. Op., ECF #167.) I have just been informed by the Clerk that the principal sum on deposit in the Court’s registry is actually \$977,270.84, which is 94 cents more than the \$977,269.90 stated in the Memorandum Opinion. This does not change my analysis, nor does it change the disbursement to Stearns Bank. It does, however, increase the disbursement to Amegy Bank by 94 cents. The percentage of accrued interest to be disbursed to

each claimant does not change.

Accordingly, *nunc pro tunc* as of March 19, 2018,

**IT IS HEREBY ORDERED** that the amount of the Net Settlement stated in the first paragraph on page 1 of the Memorandum Opinion shall read “\$977,270.84” and not \$977,269.90.

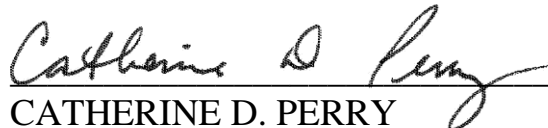
**IT IS FURTHER ORDERED** that the last sentence of the first full paragraph on page 2 of the Memorandum Opinion shall read:

“Amegy Bank shall recover the amount of Net Settlement that does not constitute proceeds of Stearns Bank’s original collateral, that is, \$212,003.09.”

**IT IS FURTHER ORDERED** that the last two sentences of the first full paragraph on page 16 of the Memorandum Opinion shall read:

“Amegy Bank shall recover the remainder of the Net Settlement in the Court’s registry – that is, \$212,003.09 – as and for its interest in the commercial tort claim for lost profits, contracts, and goodwill. I will therefore order the Clerk to disburse \$212,003.09 to Amegy Bank from the Court’s registry.”

A Judgment and Order of Disbursement Nunc Pro Tunc is entered herewith.

  
\_\_\_\_\_  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 20th day of March, 2018.