

Bader FarmsExhibit List

PLAINTIFF

DATE

Vs

Monsanto, et al1:16CV299.SNLJ

DEFENDANT

CASE NO.

M = Monsanto

B = BASF

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
621		X		X	X
Cell		X		X	X
M 919	Letter to Smith		X M	X	X
M 346	pink sticker cotton		X M	X	X
M 348	pink sticker soy beans		X M	X	X
B 1031	email		X B	X	X
B 1032	email		X B	X	X
B 1033	email		X B	X	X
B 1035	email		X B	X	X
B 1036	email		X B	X	X
B 1039	email		X B	X	X
1108	email	X	withdrawn		
311	Academic Survey	X	withdrawn		
	Video depo of Kim Magin	X			
282	Crop presentation	X		X	X
608	Using Dicamba Wisely	X		X	X
151	Draft for review	X		X	X
523	Meeting notes	X		X	X
510	email	X		X	X
157	Dr. Westberg email	X		X	X

Case 1:16-cv-00299-SNL Document 565 Filed 02/15/20 Page 2 of 15 PageID #: 32524

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
167	email 2/18/16	X		X	X
159	transmittal email	X		X	X
158	cover	X		X	X
604	Email 7/16	X		X	X
605	attachment	X		X	X
169	EPA compliance	X		X	X
161	Planning 2016	X		X	X
171	Ark considerations	X		X	X
172	email	X		X	X
173	Xtend - claims management	X		X	X
481	email to Chambers	X		X	X
170	email exchange Sara F	X		X	X
219	EPA Compliance 2017	X		X	X
175	Xtend Inquiry	X		X	X
178	email Carlson 7/17	X		X	X
179	email Sara Allen OTM	X		X	X
180	email	X		X	X
518	2015 Coastal Planning	X		X	X
92	email - Commercial ops	X		X	X
190	email to Rabisheo	X		X	X
191	attachment to 190	X		X	X
177	email to Carey	X		X	X
198	email re IFCA	X		X	X
199	attachment to 198	X		X	X
52	part of depo Carey	X			
90	email Chambers	X		X	X
154	email Sandbrink	X		X	X
197	Xtend update	X		X	X

Page 3

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
609	Presentation of Culpepper		XM	X	X
M379	Commercialization		XM	X	X
M373	Label Trainings 11/2016		XM	X	X
293	email Martha Smith	X		X	X
	Video depo of Tina Bhakta	X			
	Video depo of Ty Whitten	X			
	Video depo of Jeff Havers	X			
	video depo of Grey Starling	X			
	video depo of Thomas Orr	X			
2		X		X	X
3	Workplan approved by ANT	X		X	X
6	photo	X		X	X
7		X		X	X
12		X		X	X
13		X		X	X
20		X		X	X
21		X		X	X
30		X		X	X
32		X		X	X
284		X		X	X
285		X		X	X
286		X		X	X
287		X		X	X
288		X		X	X
289		X		X	X
290		X		X	X
291		X		X	X
292		X		X	X

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
294		X		X	X
295		X		X	X
298		X		X	X
299		X		X	X
300		X		X	X
301		X		X	X
302		X		X	X
303		X		X	X
304		X		X	X
499		X		X	X
241		X		X	X
243		X		X	X
246		X		X	X
247		X		X	X
248		X		X	X
249		X		X	X
250		X		X	X
252		X		X	X
256		X		X	X
257		X		X	X
259		X		X	X
	video depo of Gary Schmidt				
1M			X M	X	X
303M			X M	X	X
	video depo of Nathan Borgmeyer				
	video depo of Jeffrey Birk				
	video depo of Ronald Repage				
2194	chart of peach growth	X		X	X

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
	page 5				
2195	Demonstrative yield + revenue	X		X	X
2116	aerial footage	X		X	X
2117	aerial footage	X		X	X
M304	Investigation Statement		XM	X	X
M238 M248	Insurance Claim 4/15		XM	X	X
M271	field w/ hail damage		XM	X	X
	TI from complain +		XM		
M273	Invoices		XM	X	X
M251	21-31 Insurance Claim page		XM	X	X
M920	slide 6 - yield chart		XM	X	X
M116	pamphlet		XM	X	X
M205	31-38 Spraying application 2017		XM	X	X
M206	record 2018 spray application		XM	X	X
M921.1	slide KRR #1		XM	X	X
.4	slide KRR #4 platt		XM	X	X
.5	slide KRR #5 home area		XM	X	X
.6	slide KRR #6 home orchard		XM	X	X
.7	slide KRR #7 pak shed		XM	X	X
.8	slide KRR #8 distance		XM	X	X
.11	slide KRR #11 farm fields		XM	X	X
.12	slide KRR #12		XM	X	X
B1040	photo :		XB	X	X
B5	aerial images of farm		XB	X	X
B6	photo		XB	X	X
B9	photo		XB	X	X
B109	email		XB	X	X
B968	label Diazinon		XB	X	X
B19	2015 spraying record		XB	X	X

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
B969	Captain label		XB	X	X
M273	Invoice to Monsanto	X		X	X
10922	Standard Dem article		XM	X	
B82	Proof of loss		XB	X	X
2007	Maps	X		X	X
8	"	X		X	X
9	"	X		X	X
10	"	X		X	X
2019	The Dicamba Dilemma	X		X	X
2174	photo of peach tree	X		X	X
2119	video of trees	X		X	X
2142	photo	X		X	X
2150	photo	X		X	X
2121	photo	X		X	X
218	Xtendimax label	X		X	X
1286	Ingenia training	X		X	
2130	photo - 2019 inspection	X		X	X
2132	photo	X		X	X
2135	photo	X		X	X
2138	photo	X		X	X
2140	photo	X		X	X
2141	photo	X		X	X
M113	affidavit Baldwin		XM	X	X
M168	2010 pic ⁹ tract peach orchard		XM	X	X
M			XM	X	
M858	investigation file		XM	X	
M859	" "		XM	X	
22					

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
104		X			X
87					
95					
116					
130					
546					
188					
193					
202					
493					
607					
1065					
1066					
1067					
1068					
1069					
1070					
1071					
1072					
1073					
1075					
1076					
1077					
1078					
1079					
1080					
1081					
1083					

Page 8

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
1087		X			X
1088					
1091					
1092					
1094					
1160					
1161					
1163					
1164	2 Yr Historical View Map				
1169					
1170					
1171					
1131					
1132					
1133					
1134					
1135					
1136					
1137					
1138					
1139					
1140					
1141					
1142					
1143					
1144					
1145					
1146	Sales of Clarity				

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
11 47		X			X
11 49					
11 50					
11 52					
11 57					
11 58					
11 59					
1102					
1103					
1104					
1106					
1107					
1108					
1109					
1110					
1112					
1123					
1124					
1130					
B-865.0040	Photo		ΔB	X	X
B-880.0026	Photo		ΔB	X	X (d)
B-881.007	Photo		ΔB	X	X (d)
17	Article (Arboriculture)		ΔB		
18	Article		ΔB		
	Article (1976 Steiner)		ΔB		
	Report (Bader)		ΔB		
B980	Memorandum		ΔB	X	X
B979	Document (EPA)		ΔB	X	X

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
B981	Document - EPA		ΔB	X	X
2196	Report by Dr. Guenther	X		X	X
m156	List of Various Univ. Studies		ΔM	X	X
m928	3rd Amended Complaint		ΔM		
m927	Financial stmt		ΔM	X	X
m926	Profit & Loss Charter Bader Farms		ΔM	X	X
2196	Table 6		ΔB	X	X(Δ)
	Ricky W. Chamblee-video depo	X			
206	(By Plaintiff - preadmitted)	X		X	X
549		X		X	X
598		X		X	X
B660		X		X	X
B661		X		X	X
B681		X		X	X
44		X		X	X
201		X		X	X
311		X		X	X
501		X		X	X
502		X		X	X
514		X		X	X
519		X		X	X
521		X		X	X
(P)1016	invoice	X		X	X
(P)1014	invoice	X		X	X
m534.11	Photo - Dicamba Spray Peach Tree; GA		ΔM	X	X
m534.1	Photo - Photos - Good Terminals Bader Farms		ΔM	X	X
m536.5	Photo - Trees w/ leaves described as Dr Baldwin ^{South Carolina Tree July 2019}		ΔM	X	X
m536.6	Photo tree @ Bader's Farm		ΔX	X	X

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
M534.3	Photo @ Bader Farms - tree trunk w/weeds		Δm	X	X
M534.12	Photo @ Bader - Honeyvine Milkweed		Δm	X	X
M536.4	Photo @ Bader - Peach Tree - Overgrown w/weed		Δm	X	X
M507.152	Photo of Tree @ Bader 5/2019		Δm	X	X
M507.227	"Catapa" Tree @ Bader Farm (5/2019)		Δm	X	X
2205	(d) Chart - 2017 Ag Cts. Dunklin Co.	X		X	Object by ΔB/M - NOT admitted
2221	Copy of Mr. Mitchem - disposition	X		X	X
2204	Report	X			
M542			Δm	x	x
M543			Δm	x	x
3666	WSSA Weed Science Society of America	X			not adm. (object.)
2220		X			
Slide 1	Dr. Phillip Brannen P.h.d (Partial Bio)		Δm	X	X
Slide 2	(d) " " Professor of Plant Pathology at Univ of Georgia		Δm	X	X
Slide 3	(d) Bader Farms Peach Sites Visited 2017-2019		Δm	X	X
Slide 4	(d) Other Factors Causing Peach Tree Stress & Mortality @ Bader Farms		Δm	X	X
DXM577	Article re: Armillaria Root Rot		Δm	X	X
DXM577.1	" " (pg of above)				
" 1.2	" " (callout)				
" 2.1	" " (callout)				
" 2.2	" " (callout)				
" 2.3	" " (callouts)				
" 2.4	" " Callout				
" 2.5	" " photo/callout				
" 2.6	" " callout				
" 2.7	" " callout/picture				
Slide 5 (b)	Photo Comparison of Photos		Δm	X	X
DXM577 2.8	Pic Dead Tree		Δm	X	X

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
Slide 6 (D) ^{Bader} Dead Tree Pic / Comp. w/ Cox Art.			ΔM	X	X
2.9 SE Peach grower handbook (callout) ^{cont. from pg 11}			Δm	X	X
3.1 " " (callout)			Δm	↓	↓
M594 M595+ Article White root rot (1976)			ΔM	X	X
" 2.1 " " (callout)			↓	↓	↓
" 2.2 " " (callout)			↓	↓	↓
" 2.3 " " (callout)			↓	↓	↓
" 3.2 " " (callout)			↓	↓	↓
" 3.1 " " (callout)			↓	↓	↓
Slide 7 (D) Peach Sites Confirmed to have Armillaria Present			ΔM	X	X
m598.0070 Close up picture of ground tree root			ΔM	X	X
m598.0038 Photo Peach Tree field - Bader Farm			ΔM	X	X
m 530 Satellite Photos - Bader Farms			ΔM	X	X
slide 8 3/9/96 Photo "			↓	↓	↓
9 12/30/96 " "			↓	↓	↓
10 8/18/05 " "			↓	↓	↓
11 8/11/07 " "			↓	↓	↓
12 8/12/09 " "			↓	↓	↓
13 10/6/10 " "			↓	↓	↓
14 2/29/12 " "			↓	↓	↓
15 2/26/14 " "			↓	↓	↓
↓ 16 11/9/15 " "			↓	↓	↓
2116 Video - aerial (already in evidence)			ΔM		
slide 18 drone video (" "			ΔM	X	X
↓ 21 drone video			↓	↓	↓
slide 4 Other factors...		X		X	X
B677 Agreement			ΔB	X	X
'672 Agreement			ΔB	X	X

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
673	Agreement		ΔB	X	X
1044 (D)	4-Party Lit. 2006 (Demonstrative)		ΔB	X	X
B1045 (D)	Decreased Product During Court @ Beaumont Plant		ΔB	X	X
B1029	2014-2017 Clarity Sales Report		ΔB	X	X
B1030	2014-2017 Priv. label Clarity Sales Report		ΔB	X	X
B1046 (D)	chart of sales		ΔB	X	X
Clip 4	Video				
1378	List of AMT Members/Workgroups	X		X	X
1013	document	X	ΔB objects		X
1266	(admitted over objection) email	X		X	X
1220	email Paul Ray (2012)	X	(ΔB objects)	X	X
1009	Engenia Herbicide Strategic Update 9/2016	X	(ΔB objects)	X	X
1008	document - Updated Tough Questions: Engenia	X		X	X
1371	July 4 - Innovative Specialist Report (2016)	X	ΔB objects	X	X
1017	Alliance Mgmt Team Mtg	X		X	X
md 499846	May 11 draft - Dicamba-Tolerant crop systems		ΔB		
B673	Amended Agreement				
video -	deposition F. Scott Kay		ΔB		
1174	email 12/21/16 (in video-depo) [BELOW]		ΔB		
*	Dicamba Stewardship Reminder				
45	B485 email stewardship reminder		ΔB	X	X
46	B486 stewardship reminder		ΔB	X	X
682			ΔB	X	X
1174		X		X	X
1153		X		X	X
1282		X		X	X
1284		X		X	X
153	email				

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
B361					
B503					
546					
555					
92					
1028					
B98	2014 Pest Mngmnt & Culture Guide		ΔB	X	X
B825.0084	Photo of Bader Peach Tree		ΔB	X	X
B827.005	Photo root rot - Bader Farms		ΔB	X	X
B732	Photo dying Tree - Bader Farms		ΔB	X	X
B792	Photo of dead tree root - " "		ΔB	X	X
B825.003	Photo w/finger - root w/A.R.R. - " "		ΔB	X	X
B825.0010	Photo of Chunk of Bark - " "		ΔB	X	X
B775	Excel spreadsheet - Summary DNA analysis		ΔB	X	X
B770	Gel analysis		ΔB	X	X
B783	" "		ΔB	X	X
B74	Summary of DNA (Dr. Brannen)		ΔB	X	X
B1038	Gel analysis (Dr Brannen)		ΔB	X	X
B849	add'l samples - 2019		ΔB	X	X
B848	Bark samples		ΔB	X	X
B1050	subset of B5		ΔB	X	X
780	Twig length data		ΔB	X	X
B802.002	Picture - peach tree		ΔB	X	X
B890	Photo tree branch - research farm		ΔB	X	X
B895	Photo		ΔB	X	X
B855	Photo ground - soil cracks		ΔB	X	X
B878.003	Photo - hole dug		ΔB	X	X
B817	Photo (wet hole v. dry hole)				

Exhibit #	Description	Plaintiff	Defendant	Introduced	Admitted
B1051	Comparison Photo		ΔB	X	X
B727	Pics ← Side by side		ΔB	X	X
B728	Bacterial spot		ΔB	X	X
B813	Bact. spot on peach		ΔB	X	X
B852	Photo bact. spot on peach Bader Farms		ΔB	X	X
B801	Twig die back pics		ΔB	X	X
B824.009	Photo's of peaches Bader farms		ΔB	X	X
B825.007	" " Bader farms 2019		ΔB	X	X
B847.0025	Photos of add'l fruit " "		ΔB	X	X
B839.0010	" "		ΔB	X	X
B847.0033	Photo fruit set Bader farms		ΔB	X	X
B1049	Slide Causes of Damage @ Bader Farms	X		X	X