

Roundup Glyphosate: Major Law Suits Filed against Monsanto

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Across the globe, popular weed killer Roundup has been making headline news over its controversial active ingredient glyphosate, which is allegedly causing various types of cancer in Roundup users.

Since August 2018, a [number of lawsuits have been filed](#) against the manufacturer of Roundup products, Monsanto, with three major trials concluding with verdicts in favor of the plaintiffs. Juries have decided against Monsanto, now acquired by Bayer AG, saying the company did not fairly warn consumers of the potential dangers of one of their major ingredients.

Recently, the scientific evidence for glyphosate's carcinogenic properties has been disputed. Increased scrutiny followed [the EPAs April press release](#) which stated that "[the] review process for herbicide glyphosate, reaffirms no risk to public health." However, other health organizations are continuing to standby the declaration of glyphosate being considered, "[probably carcinogenic to humans](#)," by the International Agency for Research on Cancer.

January 2016 - August 2018: Dewayne Johnson v. Monsanto Company



Dewayne Johnson, school groundskeeper for the California county school system, was the first individual [to file a personal injury lawsuit against Monsanto](#). Johnson alleged that after regular exposure to glyphosate containing Roundup, he developed non-Hodgkin's lymphoma. Citing the International Agency for Research on Cancer, Johnson built a case around the argument that glyphosate are classified as "probably carcinogenic to humans".

In addition, confidential documents were released during the proceedings revealing evidence Monsanto had "ghostwritten" a number of important documents relating to Roundup product research and glyphosate exposure. Furthermore, the evidence presented by the plaintiff found Monsanto colluded with officials at the Environmental Protection Agency (EPA) in order to suppress the negative news released by the United States Department of Health and Human Services, questioning the safety of glyphosate.

In August 2018, Johnson received \$39 million in compensatory damages, and \$250 million in punitive damages, totaling \$289 million. However, In October, Judge Suzanne Bolanos of the San Francisco Superior Court [drastically reduced the award for punitive damages](#) after ruling the settlement should follow a 1:1 ratio with the compensatory damages.

As a result, the award initial \$250 million settlement for punitive damages was cut to \$39.25 million to match the compensatory damage award, which reduced the overall settlement to \$78.5 million total. As stated by [case coverage from the US Right to Know](#), Johnson is currently cross appealing this decision in an attempt to recover the \$289 million settlement he was initially awarded.

In 2018, Bayer AG acquired Monsanto, and as of April 2019 has set forth an [appeal to the \\$78.5 million settlement](#) claiming there was “no evidence” that glyphosate, caused the plaintiffs cancer. Bayer's response to these cases are clearly illustrated, as a press release made by the company states, “Bayer stands behind [Roundup] products and will continue to vigorously defend them,”

February 2016 – March 2019: Edwin Hardeman v Monsanto Company

Edwin Hardeman, a 70 year old California man, worked with Roundup for 40+ years to kill the common weeds, poison oak, and overgrowth that covered his property. Hardeman relied on the product heavily until he was diagnosed with non-Hodgkin's Lymphoma in fall 2015.

Hardeman was [the second individual to file a class action lawsuit](#) against Monsanto Company. His case presented various scientific studies that glyphosate-containing Roundup products could [disturb cell division in sea urchins](#) and [affect cell cycle regulation in humans](#).

The third and fourth studies that Hardeman referenced examined the chemical composition of the herbicide. The results of which identified that the Roundup formula was [more toxic than glyphosate alone](#), and the specific chemical composition has an affect [on human umbilical, embryonic, and placental cells](#).

In combination with the above evidence, Hardeman's lawyers claimed that Monsanto knew about these dangers, but failed to properly warn consumers. Deliberation took five days and the result was a unanimous decision made by the jury, in which Hardeman was awarded \$80 million in compensatory damages. However, this case is also under appeal by Bayer, as they hope for a settlement reduction.

March 2019 – May 2019: Alva and Alberta Pilliod v Monsanto Company

In the [most recent Roundup trial](#), Northern California couple Alva (age 76) and Alberta Pilliod (age 74) had been using Roundup since the early '80s, applying the product to weeds and other nuisance plants they found on their personal and income properties regularly. Although both individuals used the product extensively, neither of them had much warning of the potential effects this consumer weed killer could have on their health, which lead them to believe the product was safe to use without protective equipment.

Both were eventually diagnosed with non-Hodgkin's lymphoma, Alva in 2011 and Alberta in 2015. Although both Alva and Alberta had a significantly shortened life expectancy, both are currently in remission from their cancer. However, due to their conditions and age, the Pilliods' trial date was moved forward under California law.

The expedited trial [resulted in unanimous decision by the jury](#) claiming Monsanto had acted maliciously, and refused to look into the potential short and long-term health effects of the primary ingredient found in Roundup, glyphosate.

On April 23, 2019, the Pilliod's received \$55 million in compensatory damages, and were

both individually awarded \$1 billion in punitive damages. The total judgement amount topped \$2.055 billion. Bayer has announced that they are “disappointed with the jury’s decision and will appeal the verdict in this case,” as they have with the other cases with similar verdicts.

The Future of Roundup Lawsuits

In April 2019 the judge overseeing the multidistrict litigation made a rebuttal to impact future trials. Judge Vince Chhabria of the U.S. District Court for the Northern District of California, ordered the participants in the latest Roundup trial to [find a mediator](#) they could both work with. In addition, he stated, If they can’t find one, “the court will appoint someone”.

With hopes is that both parties can find a mediator, Chhabria believes this action could potentially resolve the thousands of cases currently in federal court which Chhabria also notes that multidistrict litigation could be the best way to organize the more than 13,400 currently pending lawsuits.

Following up on May 22, Judge Chhabria plans to discuss their progress and plans moving forward to appoint a suitable mediator.

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