Groundskeeper Accepts Reduced $78 Million Award From Monsanto Cancer Suit

Dewayne “Lee” Johnson, the groundskeeper who was awarded $289 million in a civil suit against Bayer’s Monsanto, has agreed to accept the reduced award of $78 million. Dewayne went to trial on the grounds that the weedkiller Roundup caused his cancer. The jury awarded him $39 million in compensatory damages and $250 million in punitive damages. Superior Court Judge Suzanne Bolanos cut the award by $211 million, stating that punitive damages at more than seven times the size of the compensatory award are not legally justified.

> *In enforcing due process limits, the Court does not sit as a replacement for a jury but only as a check on arbitrary awards.”*

Johnson could have demanded a new trial, but instead, he accepted the reduced award of $78 million. Doctors report he has very little time left to live. Johnson accepted the lower amount in a desire to reach “a final resolution within his lifetime,” spokeswoman Robin McCall told The Associated Press.

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Dewayne “Lee” Johnson, was 42, working as a groundskeeper and pest-control manager in Northern California, when he developed a rash that led to a diagnosis of non-Hodgkin’s lymphoma in August 2014. Court records say duties at work included mixing and spraying hundreds of gallons of Roundup, Monsanto’s glyphosate-based weedkiller.

His attorney disagreed with the judge’s settlement reduction, but Johnson will accept the lower amount in hopes of achieving “a final resolution within his lifetime,” spokeswoman Robin

McCall told The Associated Press.

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Bayer acquired Monsanto in June. In an emailed statement Bayer spokesperson Charla Lord told NPR:

> *The Court's decision to reduce the punitive damage award by more than $200 million is a step in the right direction, but we continue to believe that the liability verdict and damage awards are not supported by the evidence at trial or the law and plan to file an appeal with the California Court of Appeal.*
>
> *There is an extensive body of research on glyphosate and glyphosate-based herbicides, including more than 800 rigorous registration studies required by EPA, European and other regulators, that confirms that these products are safe when used as directed."*

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Glyphosate is one of the most widely used and well-known herbicides in the U.S. Reuters reports that Bayer faces about 8,000 more lawsuits on the herbicide.