

# Judge Plans To Overturn \$289 Million Jury Verdict Against Monsanto

Superior Court Judge Suzanne Bolanos said in a tentative ruling that she would likely overturn \$250 million in punitive damages because there was no convincing evidence that Monsanto had knowingly manufactured a harmful product or acted “despicably” toward the plaintiff, Dewayne “Lee” Johnson.

Bayer AG, who recently acquired Monsanto, is challenging the verdict in August that awarded Dewayne Johnson \$289 million. Superior Court Judge Suzanne Bolanos out of San Francisco indicated that she plans to hold back \$250 million of the award. This ruling will be very good news to Bayer since the company is defending itself against thousands of U.S. lawsuits.

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The judge said that even if she decides not to vacate the \$250 million punishment damages she will likely still grant a new trial. She says the evidence against Bayer was insufficient. She also didn't like Brent Wisner's closing arguments from the trial. Brent told jurors that Monsanto executives were hanging out in a company boardroom, “waiting for the phone to ring” and that “behind them is a bunch of champagne on ice,” according to a court filing. The lawyer went on to say that “if the damages number isn't significant enough, champagne corks will pop.”

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*Bayer agrees with the court's tentative ruling. The jury's verdict was wholly at odds with over 40 years of real-world use, an extensive body of scientific data and analysis,*

*including in-depth reviews by regulatory authorities in the U.S. and EU, and approvals in 160 countries, which support the conclusion that glyphosate-based herbicides are safe when used as directed and that glyphosate is not carcinogenic.”*  
– Bayer said in an emailed statement

The San Fransico Chronical reports that some of the jurors who awarded the \$289 million verdicts are imploring the judge to reconsider her tentative decision to overturn most of the damages.

*You may not have been convinced by the evidence but we were. I urge you to respect and honor our verdict and the six weeks of our lives that we dedicated to this trial.”* – Juror Gary Kitahata said in a letter to Superior Court Judge Suzanne Bolanos

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