

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS
LIABILITY LITIGATION

MDL No. 2741

Case No. 16-md-02741-VC

This document relates to:

Stevick v. Monsanto Co., 16-cv-2341

Giglio v. Monsanto Co., 16-cv-5658

I. Hernandez v. Monsanto Co., 16-cv-5750

Sanders v. Monsanto Co., 16-cv-5752

Domina v. Monsanto Co., 16-cv-5887

Russo v. Monsanto Co., 16-cv-6024

Perkins v. Monsanto Co., 16-cv-6025

Mendoza v. Monsanto Co., 16-cv-6046

Harris v. Monsanto Co., 17-cv-3199

Alvarez Calderon v. Monsanto Co., 19-cv-1630

Tanner v. Monsanto Co., 19-cv-4099

Pollard v. Monsanto Co., 19-cv-4100

Dickey v. Monsanto Co., 19-cv-4102

Janzen v. Monsanto Co., 19-cv-4103

**AMENDED PRETRIAL ORDER NO.
201: ORDER RE MOTION TO
EXCLUDE TESTIMONY OF DR.
SAWYER
(WAVE 1 CASES)**

Re: Dkt. Nos. 8010, 8572, 8573

The bulk of Monsanto's motions to exclude testimony from Sawyer is moot, because the plaintiffs have clarified that Sawyer does not intend to offer many of the opinions to which Monsanto objects. For example, the plaintiffs clarify that Sawyer will not offer an opinion on general causation, nor will he offer a differential diagnosis opinion as to any individual plaintiff.

The plaintiffs assert that Sawyer should nonetheless be permitted to opine that a plaintiff's "exposure to Roundup was sufficient to cause NHL." Thus, this aspect of Monsanto's

motions is not moot. Because Sawyer will not offer an opinion on general causation or differential diagnosis, it follows that he may not opine that a plaintiff's "exposure to Roundup was sufficient to cause NHL." On the other hand, to the extent Sawyer has offered an opinion on a particular plaintiff's level of exposure or rate of absorption, it would be permissible for that plaintiff's counsel to ask Sawyer to assume that a particular exposure or absorption level creates an NHL risk based on other experts' testimony, and then asked if the particular plaintiff exceeded that exposure or absorption level.

IT IS SO ORDERED.

Dated: January 22, 2020



VINCE CHHABRIA
United States District Judge