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11	SUPERIOR COURT OF THE STATE OF CALIFORNIA				
12	COUNTY OF SAN FRANCISCO				
13					
14	Dewayne Johnson) Ca	se No. CGC-16-550128		
15	Plaintiff,	*	AINTIFF'S NOTICE OF CCEPTANCE OF		
16	vs.	,	EMITTITUR		
17	Monsanto Company)			
18	Defendant) Ho	n. Judge Suzanne R. Bolanos		
19	Belendant)			
20)			
21)			
22)			
23)			
24	TO THE COURT DEFENDANT	ND ITS COUN	CEL OF DECODD.		
25	TO THE COURT, DEFENDANT AND ITS COUNSEL OF RECORD:				
26	NOTICE IS HEREBY GIVEN that pursuant to the Court's Order dated October 22, 2018				
27	conditionally denying Monsanto's Motion for New Trial and CCP § 662.5, the Plaintiff will accept the reduction of punitive damages to the amount of \$39,253,209.35. The total verdict would therefore be				
28	reduction of pulltave damages to the amount of \$37,233,207.33. The total vertice would therefore be				

in the amount of \$78,506,418.70. The Plaintiff accepts the remittitur with the intent to avoid the further

1	burden of a new trial or appeal. If the Defendant appeals the Court's October 22, 2018 order on any			
2	grounds and thereby deprives Plaintiff of "the benefits he has sought by his consent to the remittitur,"			
3	then the Plaintiff does not waive his right to appeal the reduction of punitive damages. Miller v. Nat'l			
4	Am. Life Ins. Co. (Ct. App. 1976) 54 Cal. App. 3d 331, 345.			
5	5			
6	Dated: October 26, 2018	espectfully Submitted,		
7	7			
8	8 T	HE MILLER FIRM, LLC		
9	() II	/ Curtis G. Hoke Iichael J. Miller (appearance pro hac vice)		
10	D	Pavid Dickens (appearance pro hac vice)		
11	$_{1}\parallel$ $_{\mathrm{T}}$	urtis G. Hoke (SBN 282465) HE MILLER FIRM, LLC		
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21				
22	A.	ttorneys for Plaintiff		
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24				
25				
26				
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28	8			