



Larsen and Jane Baldwin. All parties announced they were ready for trial. Jurors appeared for Voir Dire and the Court read M.A.I. 1.00, 2.00 (A) and 2.00 (C) to the Jury. Introductory comments were given, and the panel took the oath to serve as venire persons. Voir Dire examination was conducted. At the conclusion of Voir Dire, the Court entertained strikes for hardship, challenges for cause, peremptory challenges, and Batson challenges. A Jury of twelve jurors and four alternates was selected. The parties stipulated that the resulting Jury of twelve and four alternates conformed to the strikes previously entered by the Court. The Jury consisted of the following residents of Jackson County: Antonio Green, Sharon McCann, Jena Haskins Mears, James Seago, Regina Barksdale, Gabrielle Walton, Gregory Klein, John Godfrey, Becky Urich, Marion Manley, Rene Jones, Christopher Anderson, Michael Lee, Alicia Smith, and Elece Kellerman. As a result of the Jury being selected out of the first half of the panel summoned, the 2<sup>nd</sup> half of the panel that was to appear for Voir Dire on May 3, 2022 was discharged prior to their arrival to the courthouse.

On May 3, 2022, the court reconvened. The Jury was administered the oath to serve as jurors and they were sworn to try the case. The Court read Instruction Number 1, M.A.I. 2.01, to the Jury. The Plaintiff then presented his opening statement.

On May 4, 2022, the court reconvened. Defendant presented its opening statement. Plaintiff began the presentation of his case in chief. Plaintiff continued presentation of the evidence until Plaintiff rested on June 6, 2022. Defendant filed a Motion for Directed Verdict at the Conclusion of Plaintiff's Evidence on June 6, 2022 and the Defendant began its case in chief. By agreement of counsel, argument on the Motion was delayed to the next day in order for the Court

and counsel to read the motion and consider it over the evening hours and permit the jury to continue to hear evidence. Defendant began its presentation of evidence.

During the trial, three members of the jury panel of 16 were excused by the Court with the agreement of counsel. On May 16, 2022, Juror Antonio Green was excused for hardship. On May 25, 2022, Juror Michael Dunn was excused for hardship. On May 31, 2022, Juror Becky Urich was excused for hardship.

On June 7, 2022, the court reconvened and the Court heard argument on the Motion for Directed Verdict at the conclusion of Plaintiff's Evidence. Counsel, Tim Haskens of Bryan Cave argued the motion for Defendant and Wiley Blair argued the motion for the Plaintiff. The motion for directed verdict was denied. Defendant continued presenting evidence in its case in chief and subsequently rested. Defendant filed its Motion for Directed Verdict at the Conclusion of All Evidence. The Court heard argument on the motion and it was denied.

On June 8, 2022, a formal instruction conference was held and entered on the record. The Jury was then read instruction numbers 2-12. Closing arguments then began; each party was allotted 1 hour and 45 minutes for argument. At the conclusion of closing arguments, the remaining alternate juror, Elece Kellerman, was excused from service. The Jury retired to deliberate at approximately 2:05 p.m. At approximately 4:00 p.m. the jury requested permission to break for the evening via written communication. The Court used its discretion to allow the jury to leave for the evening. The Court read a modified version of the recess instruction to the jury and directed the jury to return in the morning to continue deliberations.

On June 9, 2022 at approximately 9:00 a.m., the Court reconvened, and the jury retired to continue deliberations. At approximately 4:00 p.m., the Jury returned with a verdict.

The following verdict was published by the Court:

### **VERDICT**

Note: Complete this form by writing in the name(s) required by your verdict.

#### **Part A**

On the claim of Plaintiff Allan Shelton against Defendant Monsanto Company for compensatory damages based on product defect, we, the undersigned jurors, find in favor of: Defendant Monsanto Company.

#### **Part B**

On the claim of Plaintiff Allan Shelton against Defendant Monsanto Company for compensatory damages based on product defect – failure to warn, we, the undersigned jurors, find in favor of: Defendant Monsanto Company.

#### **Part C**

On the claim of Plaintiff Allan Shelton against Defendant Monsanto Company for compensatory damages based on negligence, we, the undersigned jurors, find in favor of: Defendant Monsanto Company.

#### **Part D**

Note: Complete the following paragraph only if one or more of the above findings is in favor of Plaintiff Allan Shelton.

We, the undersigned jurors, assess the compensatory damages of Plaintiff Allan Shelton as follows: *(left blank)*

#### **Part E**

Note: Complete the following paragraph only if you found in favor of Plaintiff Allan Shelton and against Defendant Monsanto Company on his claim for compensatory damages in Part C above.

On the claim of Plaintiff Allan Shelton for punitive damages against Defendant

Monsanto Company, we, the undersigned jurors, find in favor of: *(left blank)*

Part F

Note: Complete the following paragraph only if you found in favor of Plaintiff on his claim for punitive damages against Defendant Monsanto Company.

We, the undersigned jurors, assess punitive damages against Defendant Monsanto Company at: *(left blank)*

**The Verdict was signed by the following jurors:** Sharon McCann, James Seago, Regina Barksdale, Gabrielle Walton, John Godfrey, Marion Manley, Rene Jones, Michael Lee, Alicia Smith.

**IT IS THEREFORE ORDERED ADJUDGED and DECREED AS FOLLOWS:**

In accordance with the verdict of the Jury, Judgment is hereby entered in favor of Defendant Monsanto Company. Court costs are assessed against the Plaintiff..

**IT IS SO ORDERED.**

June 10, 2022


DATE



CHARLES H MCKENZIE, Judge

**Certificate of Service**

This is to certify that a copy of the foregoing was automatically forwarded to the attorneys of record through the Court's eFiling system.

  
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Lindsey M. Conrad, Law Clerk Division 13