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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: ROUNDUP PRODUCTS  
LIABILITY LITIGATION

MDL No. 2741  
Case No. 16-md-02741-VC

Hon. Vince Chhabria

This document relates to:  
ALL ACTIONS

**JOINT CASE MANAGEMENT STATEMENT**

Pursuant to the Minute Entry from the last Case Management Conference (ECF 14374), Plaintiffs' leadership and Monsanto's counsel hereby provide the following updates to the Court. The parties do not believe a Case Management Conference is necessary at this juncture but are happy to appear upon request at the Court's convenience.

**I. Docket Overview**

Pursuant to PTO 246, Monsanto is filing along with this case management statement a list of new cases that should be added to the inactive docket since the last submission (Exhibit A). The parties are not aware of any cases on the inactive docket that should be returned to active status, or that can be dismissed with prejudice.

In summary, since the Court entered PTO 246 establishing the inactive docket, the parties have agreed that 2,980 cases, involving 3,005 plaintiffs, can be moved to the inactive docket and administratively closed. 933 cases remain active in the MDL.

**II. Status of Wave 3 Cases**

In light of the Court's recent rulings on pending motions, the parties believe that Wave 3 now comprises the following cases, which are ready for remand:

- *Chapman v. Monsanto Co.*, 20-cv-01277 (S.D. Tex.)
- *Koen v. Monsanto Co.*, 20-cv-03074 (W.D. Tex.)
- *Schaffner v. Monsanto Co.*, 19-cv-07526 (W.D. Pa.)

- *Vosper v. Monsanto Co.*, 19-cv-05525 (E.D. Pa.)

The following cases that previously were in Wave 3 either have been dismissed or are ripe for dismissal:

- *Blair v. Monsanto Co.*, 19-cv-07984 (E.D. Tex.) (ripe for dismissal)
- *Denkins v. Monsanto Co.*, 20-cv-03301 (S.D. Tex.) (dismissed)
- *Garza v. Monsanto Co.*, 20-cv-06988 (S.D. Tex.) (dismissed)
- *Solis v. Monsanto Co.*, 20-cv-07391 (W.D. Tex.) (dismissed)

### **III. Motion for Extension Regarding Waves IV-VI**

On January 11, 2022, Monsanto filed an unopposed motion to extend deadlines in Waves 4-6 in light of complications created by the COVID-19 pandemic. That motion is awaiting decision.

### **IV. Update on Status of Motions to Dismiss**

Monsanto filed a motion to dismiss for failure to submit any PFS for five Plaintiffs on November 29, 2021. ECF No. 14245. As of the date of this filing, one plaintiff has contacted Monsanto to provide a PFS. Monsanto requests that the remaining four cases from Monsanto's November 29, 2021 motion be dismissed for failure to submit a PFS:

- *Virginia Brown v. Monsanto Co.*, 3:21-cv-04930
- *Duane Hutchinson v. Monsanto Co.*, 3:21-cv-04638
- *Lauren Montgomery v. Monsanto Co.*, 3:21-cv-02547
- *Karis Yenzer (Estate of Douglas W. Yenzer) v. Monsanto Co.*, 3:21-cv-04639

### **V. Motion to Substitute Co-Lead Counsel.**

On January 6, 2022, Plaintiffs' Co-Lead counsel filed an unopposed motion to substitute David Dickens, Esq. of the Miller Firm as Co-Lead counsel in place of the late Michael J. Miller, Esq. Counsel is available to answer any questions from the Court.

1 **VI. Case Counsel Contact Information.**

2 In discharging their Co-Lead duties and responsibilities, Plaintiffs' Co-Lead counsel need to  
3 communicate with MDL case counsel. It is often difficult to ascertain the proper persons with whom  
4 to communicate by reviewing the Complaint. As such, Plaintiffs' Co-Lead counsel request the Court  
5 Order all case counsel with an active MDL case to serve the attached "Case Counsel Contact  
6 Information" document (Exhibit B) to Plaintiffs' Co-Lead counsel within fifteen (15) days and that the  
7 Court order counsel for new MDL cases to serve the contact information on Plaintiffs' Co-Lead counsel  
8 at the same time they serve the PFS.  
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11 DATED: January 13, 2022

Respectfully submitted.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 13th day of January, 2022, a copy of the foregoing was filed with the Clerk of the Court through the CM/ECF system which sent notice of the filing to all appearing parties of record.

By: /s/ Brian L. Stekloff

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