



**Aimee H. Wagstaff, Esq.**  
*Licensed in Colorado and California*  
Aimee.Wagstaff@AndrusWagstaff.com

7171 W. Alaska Drive  
Lakewood, CO 80226  
Office: (303) 376-6360  
Fax: (303) 376-63614  
Website: www.AndrusWagstaff.com

**May 26, 2017**

**FILED VIA ECF**

Honorable Vince Chhabria  
United States District Court, Northern District of California

**RE: SUPPLEMENT to May 22, 2017 Discovery Letter**

*In re Roundup Prod. Liab. Litig.*, No. 3:16-md-02741-VC

Dear Judge Chhabria:

On May 15, 2017, this Court entered PTO 23 and ordered the Parties to meet and confer on the best means of reconciling the production and review of the renal tissue slides from Study BDN-77-420 with the expert discovery schedule. The Parties filed a joint discovery letter on May 22, 2017 with their respective positions. Since filing that joint discovery letter the Plaintiffs learned the following information, and hereby tender this supplement to their May 22, 2017 request:

**Plaintiffs' Supplemental Information**

On May 1, 2017, pursuant to long standing PTOs 3 and 5, Plaintiffs served their expert disclosures, which disclosures included Dr. Alfred Neugut. As stated in the May 22, 2017 joint discovery letter, Plaintiffs have tendered deposition availability for Dr. Neugut and Dr. Neugut has reserved his schedule for the week long October 10, 2017 *Daubert* hearing in San Francisco should live testimony be necessary.

Last night, Plaintiffs learned from Dr. Alfred Neugut that Monsanto's proposed 60-day extension would create extreme difficulties for him. Dr. Neugut is a practicing oncologist as well as a tenured professor in epidemiology. As such, Dr. Neugut has an incredibly busy schedule that would make it very difficult if not impossible for him to accommodate the Defendants' proposed schedule. Specifically, as part of Dr. Neugut's research focus on cancer etiology and prevention, he currently has several projects ongoing in South Africa on the effect of HIV infection on cancer outcomes. This important research requires that he be in South Africa for much of November and possibly into December, making his fall schedule extremely difficult to change. If he is able to make it back to the United States before December 11<sup>th</sup>, which is uncertain at this point, he will still have to catch up on his other duties in the United States. A 60-day extension in the expert scheduling creates a substantial burden for Dr. Neugut, particularly where he will not be supplementing his report based on any PTO 23 discovery.

Dated: May 26, 2017

Respectfully submitted,

/s/ Aimee H. Wagstaff  
Aimee H. Wagstaff, Esq.  
ANDRUS WAGSTAFF, PC  
7171 W. Alaska Dr.  
Lakewood, CO 80226  
Email: [aimee.wagstaff@andruswagstaff.com](mailto:aimee.wagstaff@andruswagstaff.com)

/s/ Robin Greenwald  
WEITZ & LUXENBERG  
700 Broadway  
New York, NY 10003  
Email: [rgreenwald@weitzlux.com](mailto:rgreenwald@weitzlux.com)

/s/ Michael Miller  
THE MILLER FIRM LLC  
108 Railroad Ave  
Orange, VA 22960  
Email: [mmiller@millerfirmllc.com](mailto:mmiller@millerfirmllc.com)

*Co-Counsel for MDL 2741 Plaintiffs*