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17 MONSANTO COMPANY

18 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
19 **COUNTY OF SAN FRANCISCO**

21 DEWAYNE JOHNSON,

22 Plaintiff,

23 vs.

24 MONSANTO COMPANY,

25 Defendant.

Case No. CGC-16-550128

**DECLARATION OF SANDRA A.
EDWARDS IN SUPPORT OF
MONSANTO'S MOTIONS *IN LIMINE*
NOS. 6-30**

Trial Date: June 18, 2018
Time: 9:30 p.m.
Department: TBD

ELECTRONICALLY
FILED
*Superior Court of California,
County of San Francisco*
05/24/2018
Clerk of the Court
BY: VANESSA WU
Deputy Clerk

1 I, Sandra A. Edwards, declare as follows:

2 1. I am an attorney duly admitted to practice before this Court. I am a partner with
3 Farella Braun + Martel LLP, attorneys of record for Monsanto Company (“Monsanto”). I submit
4 this Declaration in support of Monsanto’s Motions *In Limine* Nos. 6-30 to exclude certain
5 evidence.

6 2. Attached hereto as **Exhibit 1** is a true and correct copy of *An Update on FDA’s*
7 *Good Laboratory Practice (GLP) for Nonclinical Laboratory Studies Proposed Rule*, SOT:
8 Regulatory and Safety Evaluation Specialty Section Webinar, Mark Eaton, Ph.D., Sept. 29, 2017,
9 [http://www.toxicology.org/](http://www.toxicology.org/groups/ss/rsess/doc/2017SOTWebinar_with_notesRSESS_Seaton.pdf)
10 [groups/ss/rsess/doc/2017SOTWebinar_with_notesRSESS_Seaton.pdf](http://www.toxicology.org/groups/ss/rsess/doc/2017SOTWebinar_with_notesRSESS_Seaton.pdf).

11 3. Attached hereto as **Exhibit 2** is a true and correct copy of *Texas firm probed for*
12 *residue studies*, Moscow-Pullman Daily News. 1991-03-01,
13 [https://news.google.com/newspapers?id=4NctAAAAIIBAJ&sjid=sdA](https://news.google.com/newspapers?id=4NctAAAAIIBAJ&sjid=sdAFAAAAIBAJ&pg=2557%2C184092)
14 [FAAAAIBAJ&pg=2557%2C184092](https://news.google.com/newspapers?id=4NctAAAAIIBAJ&pg=2557%2C184092).

15 4. Attached hereto as **Exhibit 3** is a true and correct copy of an excerpt from the
16 deposition of Dewayne Johnson on Dec. 7, 2017 (Vol. 1).

17 5. Attached hereto as **Exhibit 4** is a true and correct copy of an excerpt from
18 Andreotti et al., *Glyphosate Use and Cancer Incidence in the Agricultural Health Study*, 110 J.
19 Nat’l Cancer Inst. 1, (2018).

20 6. Attached hereto as **Exhibit 5** is a true and correct copy of an excerpt from Heydens
21 et al., *Genotoxic Potential of Glyphosate Formulations: Mode-of-Action Investigations*, J. of
22 Agricultural and Food Chemistry (2008).

23 7. Attached hereto as **Exhibit 6** is a true and correct copy of an excerpt from De Roos
24 et al., *Cancer Incidence Among Glyphosate-Exposed Pesticide Applicators in the Agricultural*
25 *Health Study*, 113 Environmental Health Perspectives 49, (2005).

26 8. Attached hereto as **Exhibit 7** is a true and correct copy of an excerpt from Kier et
27 al., *Review of Genotoxicity studies of glyphosate and glyphosate-based formulations*, Critical
28 Reviews in Toxicology (2013).

1 9. Attached hereto as **Exhibit 8** is a true and correct copy of an excerpt from the
2 deposition of Donna Farmer on Jan. 11 and 12, 2017, *In re: Roundup Prod. Liab. Litig.*, 3:16-md-
3 02741-VC (N.D. Cal.).

4 10. Attached hereto as **Exhibit 9** is a true and correct copy of a March 5, 2013 email
5 from Xavier Balvaux to Sophie Gardette and David Saltmiras, (MONGLY01159775-78).

6 11. Attached hereto as **Exhibit 10** is a true and correct copy of a Dec. 14, 2010 email
7 from Stephen Adams to Gary Klopff, et al., (MONGLY01155974-79).

8 12. Attached hereto as **Exhibit 11** is a true and correct copy of an expert from the EPA
9 Memorandum Re: Alkyl AminePolyalkoxylates (JITF CST 4 Inert Ingredients).

10 13. Attached hereto as **Exhibit 12** is a true and correct copy of an excerpt from the
11 deposition of Chadi Nabhan, M.D. on Aug. 23, 2017 *In re: Roundup Prod. Liab. Litig.*, 3:16-md-
12 02741-VC (N.D. Cal.).

13 14. Attached hereto as **Exhibit 13** is a true and correct copy of an excerpt from the
14 Expert Report of Charles Benbrook.

15 15. Attached hereto as **Exhibit 14** is a true and correct copy of an excerpt from the
16 deposition of Dewayne Johnson on Oct. 28, 2015 in his workers' compensation proceeding.

17 16. Attached hereto as **Exhibit 15** is a true and correct copy of an excerpt from the
18 deposition of Edwin Martinez on Jan. 19, 2018.

19 17. Attached hereto as **Exhibit 16** is a true and correct copy of an excerpt from the
20 deposition of Kirk Azevedo on June 8, 2016 in *Phyllis Kennedy v. Monsanto Company*, No. 16M-
21 CC00001 (Cir. Ct. Mo.).

22 18. Attached hereto as **Exhibit 17** is a true and correct copy of an excerpt from
23 Transcript of Proceedings, May 3, 2016, *In re Roundup Prods. Liab. Litig.*, No. 3:16-md-2741-VC
24 (N.D. Cal.).

25 19. Attached hereto as **Exhibit 18** is a true and correct copy of an excerpt from the
26 deposition of John Aquavella on April 4, 2017, *In re Roundup Prods. Liab. Litig.*, No. 3:16-md-
27 2741-VC (N.D. Cal.).

28 20. Attached hereto as **Exhibit 19** is a true and correct copy of an excerpt from the

1 deposition of Jennifer Rider on Sept. 21, 2017, *In re Roundup Prods. Liab. Litig.*, No. 3:16-md-
2 2741-VC (N.D. Cal.).

3 21. Attached hereto as **Exhibit 20** is a true and correct copy of Plf's Supp. Mem. In
4 Response to Monsanto's Contention that Plf's Experts Offered New Opinions, *In re Roundup*
5 *Prods. Liab. Litig.*, No. 3:16-md-2741-VC, ECF No. 1356.

6 22. Attached hereto as **Exhibit 21** is a true and correct copy of Coordination
7 Proceeding Special Title Rule 1550b, *Thomas v. Lincoln Electric Co.*, No. RG-06-272122 (Super.
8 Ct. Alameda Cty. Jan. 7, 2009).

9 23. Attached hereto as **Exhibit 22** is a true and correct copy of U.S. Environmental
10 Protection Agency, *Product Properties Test Guidelines: OPPTS 830.1000 Background for*
11 *Product Properties Test Guidelines* (Mar. 1998), [https://www.regulations.gov/document?D=EPA-](https://www.regulations.gov/document?D=EPA-HQ-OPPT-2009-0151-0002)
12 [HQ-OPPT-2009-0151-0002](https://www.regulations.gov/document?D=EPA-HQ-OPPT-2009-0151-0002).

13 24. Attached hereto as **Exhibit 23** is a true and correct copy of an excerpt from the
14 deposition of Charles Benbrook on Feb. 9, 2018 (Vol. 2).

15 25. Attached hereto as **Exhibit 24** is a true and correct copy of an excerpt from the
16 Expert Report of Chadi Nabhan (May 1, 2017).

17 26. Attached hereto as **Exhibit 25** is a true and correct copy of D. Hakim, *Monsanto*
18 *Weed Killer Roundup Faces New Doubts on Safety in Unsealed Documents*, N.Y. TIMES (Mar.
19 14, 2017), <https://www.nytimes.com/2017/03/14/business/monsanto-roundup-safety-lawsuit.html>.

20 27. Attached hereto as **Exhibit 26** is a true and correct copy of D. Hakim, *Monsanto*
21 *Glyphosate Case: Select Documents Suggest Company Tried To Influence Public Debate over*
22 *Weed Killer*, Genetic Literacy Project (Aug. 3, 2017), [https://geneticliteracyproject.org](https://geneticliteracyproject.org/2017/08/03/monsanto-glyphosate-case-selected-documents-suggest-company-tried-influence-public-debate-weedkiller/)
23 [/2017/08/03/monsanto-glyphosate-case-selected-documents-suggest-company-tried-influence-](https://geneticliteracyproject.org/2017/08/03/monsanto-glyphosate-case-selected-documents-suggest-company-tried-influence-public-debate-weedkiller/)
24 [public-debate-weedkiller/](https://geneticliteracyproject.org/2017/08/03/monsanto-glyphosate-case-selected-documents-suggest-company-tried-influence-public-debate-weedkiller/).

25 28. Attached hereto as **Exhibit 27** is a true and correct copy of W. Cornwall, *Update:*
26 *After Quick Review, Medical School Says No Evidence Monsanto Ghostwrote Professor's Paper*,
27 *Science* (Mar. 23, 2017), [http://www.sciencemag.org/news/2017/03/update-after-quick-review-](http://www.sciencemag.org/news/2017/03/update-after-quick-review-medical-school-says-no-evidence-monsanto-ghostwrote)
28 [medical-school-says-no-evidence-monsanto-ghostwrote](http://www.sciencemag.org/news/2017/03/update-after-quick-review-medical-school-says-no-evidence-monsanto-ghostwrote).

1 29. Attached hereto as **Exhibit 28** is a true and correct copy of European Food Safety
2 Authority, *EFSA Statement regarding the EU assessment of glyphosate and the so-called*
3 *“Monsanto papers,*
4 http://www.efsa.europa.eu/sites/default/files/topic/20170608_glyphosate_statement.pdf.

5 30. Attached hereto as **Exhibit 29** is a true and correct copy of an excerpt from the
6 Expert Report of William Sawyer, M.D.

7 31. Attached hereto as **Exhibit 30** is a true and correct copy of an excerpt from the
8 deposition of William Sawyer, Ph.D., on February 26, 2018.

9 32. Attached hereto as **Exhibit 31** is a true and correct copy of an excerpt from the
10 deposition of Dewayne Johnson on January 20, 2018 (Vol. 3).

11 33. Attached hereto as **Exhibit 32** is a true and correct copy of U.S. Environmental
12 Protection Agency, *EDSP Weight of Evidence Conclusions on the Tier 1 Screening Assays for the*
13 *List 1 Chemicals* (June 29, 2015).

14 34. Attached hereto as **Exhibit 33** is a true and correct copy of Food and Agriculture
15 Organization of the United Nations & World Health Organization, *Joint Meeting of the FAO*
16 *Panel of Experts on Pesticide Residues in Food and the Environment and the WHO Core*
17 *Assessment Group 159* (2004).

18 35. Attached hereto as **Exhibit 34** is a true and correct copy of the Scientific Advisory
19 Panel Report (EPA_02241986-001-006).

20 36. Attached hereto as **Exhibit 35** is a true and correct copy of TNO, *In vitro*
21 *percutaneous absorption study with [¹⁴C]glyphosate using viable rat skin membranes*, TNO
22 Report at 3 (July 9, 2003)).

23 37. Attached hereto as **Exhibit 36** is a true and correct copy of Hotz et al., *A Study of*
24 *the Short-Term effects of Mon35050 in Male CD-1 Mice*, July 26, 2002.

25 38. Attached hereto as **Exhibit 37** is a true and correct copy of Defendants’ Answer to
26 First Amended Complaint, *National Ass’n of Wheat Growers v. Zeise*, CIV. No. 2:17-2401 WBS
27 EFB, 2018 WL 1071168 (E.D. Cal. Jan. 9, 2018) (Docket No. 45).

28 39. Attached hereto as **Exhibit 38** is a true and correct copy of an excerpt of a May 10,

1 2018 hearing transcript in this matter.

2 40. Attached hereto as **Exhibit 39** is a true and correct copy of Plaintiff's Responses to
3 Defendant's First Set of Special Interrogatories served in this matter.

4 41. Attached hereto as **Exhibit 40** is a true and correct copy of the article *How Kaiser*
5 *Permanente Providers Are Paid*, [https://healthy.kaiserpermanente.org/static/health/en-](https://healthy.kaiserpermanente.org/static/health/en-us/pdfs/cal/ca_how_providers_are_paid.pdf)
6 [us/pdfs/cal/ca_how_providers_are_paid.pdf](https://healthy.kaiserpermanente.org/static/health/en-us/pdfs/cal/ca_how_providers_are_paid.pdf).

7 42. Attached hereto as **Exhibit 41** is a true and correct copy of an excerpt from the
8 deposition of Charles Benbrook on Feb. 8, 2018 (Vol. 1).

9 43. Attached hereto as **Exhibit 42** is a true and correct copy of an excerpt from the
10 deposition of Christopher Portier, Jr., Ph.D on April 17, 2018.

11 44. Attached hereto as **Exhibit 43** is a true and correct copy of an excerpt from the
12 IARC Monograph on Glyphosate, [http://monographs.iarc.fr/ENG/Monographs/vol112/mono112-](http://monographs.iarc.fr/ENG/Monographs/vol112/mono112-10.pdf)
13 [10.pdf](http://monographs.iarc.fr/ENG/Monographs/vol112/mono112-10.pdf).

14 45. Attached hereto as **Exhibit 44** is a true and correct copy of the article by Martinelli,
15 Lucia, et al. titled *Science, Safety and Trust: The Case of Transgenic Food* from the European
16 Cooperation in Science and Technology, J. Croat. Med., from 2013.

17 46. Attached hereto as **Exhibit 45** is a true and correct copy of the European Food
18 Safety Authority Statement on Final Review of Seralini from 2012.

19 47. Attached hereto as **Exhibit 46** is a true and correct copy of Barale-Thomas, Erio,
20 *Letter to the Editor*, Food Chem. Toxicol from 2013.

21 48. Attached hereto as **Exhibit 47** is a true and correct copy of an excerpt from Gilles-
22 Eric Seralini study, *Long Term Toxicity of a Roundup Herbicide and a Roundup-Tolerant*
23 *Genetically Modified Maize* from 2012.

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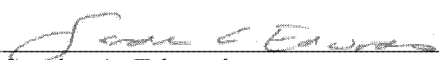
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on May 24, 2018, at San Francisco, California.



Sandra A. Edwards