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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

**DEFENDANT MONSANTO COMPANY'S
TRIAL WITNESS LIST**

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

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco
05/25/2018
Clerk of the Court
BY: VANESSA WU
Deputy Clerk

1 Defendant Monsanto Company (“Monsanto”) identifies the following witnesses it may call
 2 upon to testify at the trial of this matter:

Witness	Area of Testimony	Expected length of testimony
3 4 Dr. Kassim Al-Khatib 5 (Expert) 6 7 8 9 10	Al-Khatib is an expert in the field of herbicides, weed management, and the proper application of herbicides. He will testify about the need for and use of herbicides, the use of glyphosate, its properties, its contributions to society, and how glyphosate compares to other herbicides. He will testify about the requirements for the safe application of herbicides and Mr. Johnson’s application of glyphosate.	2 hours
11 12 13 14 15 16 17 18 19 20 21	Dr. Corcoran is an expert in biostatistics. This includes expertise in working on large interdisciplinary research projects focused on the epidemiology and genetic causes of complex disease, including but not limited to cancer. Dr. Corcoran will testify that upon applying the correct statistical methods to analyze the rodent studies data sets, there is no evidence whatsoever of a glyphosate induced effect on the risk of any of the tumors observed in the studies. He will also testify that Plaintiff’s expert, Dr. Christopher Portier, used deeply flawed statistical approaches leading him to overstate his findings and seriously misrepresent the data in aggregate in order to reach his conclusion of a relationship between glyphosate and tumor incidence in the rodent studies.	3 hours
22 23 24 25 26 27 28	Dr. Fleming is an expert in oncology and hematology. He has extensive experience treating patients with non-Hodgkin’s lymphoma (“NHL”). He will testify that NHL is the seventh most common cancer in the United States today. He will also testify that the only prospective study that has investigated the risk of NHL associated with exposure to glyphosate, the Agricultural Health Study, found that glyphosate exposure was not associated with an increased risk of developing cancer	2 hours

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Witness	Area of Testimony	Expected length of testimony
	overall. He will further testify that the Bradford-Hill criteria do not support the conclusion that glyphosate exposure increases the risk of developing NHL.	
Dr. Warren Foster (Expert)	Dr. Foster is an expert in toxicology with a special focus on environmental carcinogenesis. He is an expert in conducting animal studies to provide data for government regulatory needs and studies designed to assess human exposure and define mechanistic pathways to explain toxic phenomena including cancer. He will testify regarding the results of the animal studies conducted regarding glyphosate. He will testify that the tumors identified in the animal studies are most likely spontaneously occurring and unrelated to glyphosate exposure. He will also testify that there is no scientifically reliable basis for the conclusion that glyphosate is a rodent carcinogen.	3 hours
Dr. John Fowle, III (Expert)	Dr. Fowle is an expert in government regulations with over 33 years in federal service at the Environmental Protection Agency (“EPA”), and as science advisor to both houses of the United States Congress. He will provide opinions on EPA’s review of glyphosate as the active ingredient in glyphosate-based formulations, including Roundup®, and its finding that glyphosate is non-carcinogenic to humans. Specifically, he will testify that EPA followed all proper procedures and processes in its review of glyphosate, and the record on its registration and safety decisions for glyphosate show that it has consistently found no basis to conclude that glyphosate is carcinogenic to humans.	1 hour
Dr. Jay Goodman (Expert)	Dr. Goodman is an expert in pharmacology and toxicology, with a focus on the mechanisms involved in carcinogenesis. He will testify concerning his review of the scientific literature dealing with the potential genotoxicity of glyphosate-based formulations, from which he concluded that glyphosate and glyphosate-based	2 hours

Witness	Area of Testimony	Expected length of testimony
	formulations should be regarded as non-genotoxic. He will further testify that the literature does not support the conclusion that glyphosate and glyphosate-based formulations are capable of causing cancer.	
Araceli Johnson	Plaintiff's wife is expected to testify concerning her knowledge of the allegations set forth in Plaintiff's complaint.	TBD pending Plaintiff's examination.
Dewayne Johnson	Plaintiff is expected to testify concerning the allegations set forth in his complaint in this matter, including but not limited to his use of RoundUp®, RangerPro® and other glyphosate based herbicides as part of his employment at the Benicia Unified School District ("BUSD") and his diagnosis of mycosis fungoides.	TBD pending Plaintiff's examination.
Dr. Youn Hee Kim	Dr. Kim is an oncologist at Stanford University's Multidisciplinary Cutaneous Lymphoma Clinic ("SUMCLC") and acted as a consultant in Plaintiff's care at SUMCLC. She is expected to testify concerning details of Plaintiff's current medical condition, his future prognosis, and his treatment at SUMCLC. She is also expected to testify that there is no known cause of mycosis fungoides.	1 hour
Dr. Timothy Kuzel (Expert)	Dr. Kuzel is a board certified hematologist/oncologist and internal medicine physician. He specializes in cutaneous malignancies/cutaneous lymphomas, including mycosis fungoides. Dr. Kuzel will testify regarding Plaintiff's diagnosis of mycosis fungoides, his treatment to date, his inconsistent compliance and refusal of some treatments, and his future prognosis. Dr. Kuzel will also testify that the cause or causes of mycosis fungoides are unknown. He will also testify that with regard to non-Hodgkin's lymphoma, the best and largest causation study done is negative with regard to any association with glyphosate. Dr. Kuzel will also testify that there is no scientifically reliable evidence that glyphosate-containing herbicides were the cause of Plaintiff's cancer.	2 hours

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Witness	Area of Testimony	Expected length of testimony
Edwin Martinez	Mr. Martinez is a former co-worker of Plaintiff who worked as a groundskeeper at BUSD during the time period relevant to Plaintiff's complaint. He is expected to testify regarding the training and education received by BUSD employees related to pesticide application and the relevant policies and procedures for pesticide application. He is also expected to testify concerning the use of RangerPro® and other glyphosate based herbicides as part of his employment during the relevant time period. He is also expected to offer testimony regarding his knowledge of Plaintiff's alleged exposure.	1 hour
Dr. Lorelei Mucci (Expert)	Dr. Mucci is a cancer epidemiologist with extensive experience studying the causal link between a variety of exposure and cancer risk and survival. She will testify about her review and evaluation of the epidemiological literature on the association between exposure to glyphosate-based herbicides and the risk of non-Hodgkin's lymphoma. She will also testify that the epidemiological literature does not provide a scientific basis to support a causal relationship between exposure to glyphosate-based herbicides and the risk of non-Hodgkin's lymphoma.	3 hours
Roy Owens	Mr. Owens worked as the Supervisor of Maintenance, Operations, and Facilities at BUSD during the time period relevant to Plaintiff's complaint. He is expected to testify regarding the training and education received by BUSD employees related to pesticide application and the relevant policies and procedures for pesticide application. He is also expected to testify concerning the use of RoundUp®, RangerPro® and other glyphosate based herbicides as part of his employment during the relevant time period. He is also expected to offer testimony regarding his knowledge of Plaintiff's alleged exposure.	1 hour
Dr. Jennifer Rider (Expert)	Dr. Rider is an epidemiologist with expertise in evaluating risk factors for	3 hours

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Witness	Area of Testimony	Expected length of testimony
	<p>cancer incidence and cancer progression. She will testify that only one prospective cohort study, the Agricultural Health Study, has evaluated the effect of glyphosate with respect to NHL and provides a sufficient level of internal validity from which to make any conclusions about causality. She will testify based on her review of that study, as well as the number of other retrospective case-control epidemiological studies that are available, there is insufficient epidemiological evidence to make a scientific conclusion that glyphosate-based herbicides are a cause of NHL.</p>	
Alfredo Romero	<p>Mr. Romero is a former co-worker of Plaintiff at the Benicia Unified School District. He is expected to testify regarding the training and education received by BUSD employees related to pesticide application and the relevant policies and procedures for pesticide application. He is also expected to testify concerning the use of RoundUp®, RangerPro® and other glyphosate based herbicides as part of his employment during the relevant time period. He is also expected to offer testimony regarding his knowledge of Plaintiff's alleged exposure.</p>	1 hour
Dr. Thomas Rosol (Expert)	<p>Dr. Rosol is a veterinary pathologist with expertise in toxicologic pathology. He will testify that there are 12 rodent carcinogenicity studies available with respect to glyphosate, which represents an exceptionally large data set for a chemical. He will further testify that his review of that robust data set shows no carcinogenic effect from glyphosate on humans.</p>	3 hours
Dr. Michael Sullivan (Expert)	<p>Dr. Sullivan is an expert in toxicology and human health risk assessment. He is a Certified Industrial Hygienist and Registered Environmental and Occupational Health Specialist in California. Dr. Sullivan will testify regarding the quantitative estimate of occupational exposure of Plaintiff to glyphosate during his time as an</p>	3 hours

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Witness	Area of Testimony	Expected length of testimony
	employee of the Benicia United School District. He will testify that Plaintiff's exposure was within the range of recorded exposures for any normal pesticide applicator.	
Dr. Dennis Weisenburger (Expert)	Dr. Weisenburger is pathologist who has been retained by Plaintiff as an expert in human pathology with a focus on cancer. He is expected to offer testimony related to his review of selected epidemiological studies, animal studies, and other relevant literature.	2 hours
Monsanto Total Expected Direct Examination Hours		33
Monsanto Expected Voir Dire Hours		2.5
Monsanto Expected Opening Statement Hours		1.5
Monsanto Expected Closing Argument Hours		2.5
Monsanto Expected Cross Examination Hours		20
Monsanto Total Expected Hours		59.5

Dated: May 25, 2018

FARELLA BRAUN + MARTEL LLP

By: 
 Sandra A. Edwards

Attorneys for Defendant
 MONSANTO COMPANY