

1 Timothy Litzenburg (appearance *pro hac vice*)
2 Curtis G. Hoke (State Bar No. 282465)
3 **THE MILLER FIRM, LLC**
4 108 Railroad Ave.
5 Orange, VA 22960
6 Telephone: (540) 672-4224
7 Facsimile: (540) 672-3055
8 tlitzenburg@millerfirmllc.com
9 choke@millerfirmllc.com

10 *Attorneys for Plaintiff*
11 DEWAYNE JOHNSON

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF SAN FRANCISCO**

14 DEWAYNE JOHNSON,
15
16 Plaintiff,
17
18 vs.
19 MONSANTO COMPANY,
20
21 Defendant.

Case No.: CGC-16-550128

**PLAINTIFF'S RESPONSE TO
MONSANTO'S MOTION *IN LIMINE*
NO. 17 TO EXCLUDE IMAGES OF
INJURED PATIENTS OTHER THAN
PLAINTIFF**

Trial Judge: TBD

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

ELECTRONICALLY
FILED
*Superior Court of California,
County of San Francisco*
06/07/2018
Clerk of the Court
BY: SANDRA SCHIRO
Deputy Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Plaintiff does not intend to enter into evidence pictures of other patients with cancer. However, the Plaintiff would seek to revisit this issue in the event that there are such pictures in medical journal articles, or textbooks. Plaintiff would not be using such literature to show these pictures, but in the event there is a picture next to relevant text, Plaintiff believes it would be inappropriate to redact.

Respectfully submitted,
THE MILLER FIRM, LLC

DATED: June 7, 2018

By: Curtis G. Hoke
Curtis G. Hoke (SBN 282465)
Timothy Litzenburg (appearance *pro hac vice*)
THE MILLER FIRM, LLC
108 Railroad Ave.
Orange, VA 22960
(540) 672-4224 phone
(540) 672-3055 fax
tlitzenburg@millerfirmllc.com
choke@millerfirmllc.com

Attorneys for Plaintiff,
DEWAYNE JOHNSON

1 **PROOF OF SERVICE**

2 I, Curtis G. Hoke, declare as follows:

3 I am a citizen of the United States and am employed in Orange County, Virginia. I am over the
4 age of eighteen years and not a party to the within action. My business address is 108 Railroad
5 Avenue, Orange, Virginia 22960. On June 7, 2018 _____, I served the following
6 documents by the method indicated below:

7 **PLAINTIFF'S RESPONSE TO MONSANTO'S MOTION IN LIMINE NO. 17 TO**
8 **EXCLUDE IMAGES OF INJURED PATIENTS OTHER THAN PLAINTIFF**

9
10
11
12
13
14
15 **By Electronically Serving** the document(s) described above via LexisNexis File & Serve
16 by 7:00 p.m. Pacific Standard Time on all parties appearing on the LexisNexis File & Serve
17 service list.

18 **SEE ATTACHED SERVICE LIST**

19 I declare under penalty of perjury under the laws of the State of California that the above
20 is true and correct.

21 Executed on this June 7, 2018 at Orange, Virginia.

22 

23
24 Curtis G. Hoke,
25 Declarant

1 *Johnson v. Monsanto Company, et al.*
2 **San Francisco Superior Court Case No.: CGC-16-550128**

3 **SERVICE LIST**

4 George C. Lombardi, Esq.
5 James M. Hilmert, Esq.
6 **WINSTON & STRAWN LLP**
7 35 West Wacker Drive
8 Chicago, IL 60601
9 Tel: (312) 558-5969
Fax: (312) 558-5700
glombard@winston.com
jhilmert@winston.com

Counsel for Defendant

Served electronically Via Lexis Nexis
File&Serve Xpress

10 Joe G. Hollingsworth, Esq.
11 Eric G. Lasker, Esq.
12 Martin C. Calhoun, Esq.
13 Kirby T. Griffis, Esq.
14 William J. Cople III, Esq.
15 **HOLLINGSWORTH LLP**
16 1350 I Street, N.W.
17 Washington, DC 20005
18 Tel: (202) 898-5800
19 Fax: (202) 682-1639
jhollingsworth@hollingsworthllp.com
elasker@hollingsworthllp.com
mcalhoun@hollingsworthllp.com
kgriffis@hollingsworthllp.com
wcople@hollingsworthllp.com

Counsel for Defendant

Served electronically via Lexis Nexis
File&Serve Xpress

20 Sandra A. Edwards, Esq.
21 Joshua W. Malone, Esq.
22 **Farella Braun + Martel LLP**
23 235 Montgomery Street, 17th Floor
24 San Francisco, California 94104
25 Tel: (415) 95404400
26 Fax: (415) 954-4480
sedwards@fbm.com
jmalone@fbm.com

Counsel for Defendant

Served electronically via Lexis Nexis
File&Serve Xpress

27
28 **PROOF OF SERVICE**