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17 MONSANTO COMPANY

18 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
19 **COUNTY OF SAN FRANCISCO**  
20

21 DEWAYNE JOHNSON,  
22 Plaintiff,

23 vs.

24 MONSANTO COMPANY,  
25 Defendant.  
26

Case No. CGC-16-550128

**DEFENDANT MONSANTO COMPANY'S  
CURATIVE INSTRUCTION NO. 1**

Honorable Judge Suzanne R. Bolanos  
Department: 504  
Trial date: June 18 2018

ELECTRONICALLY  
**FILED**  
*Superior Court of California,  
County of San Francisco*  
**06/25/2018**  
Clerk of the Court  
BY: VANESSA WU  
Deputy Clerk

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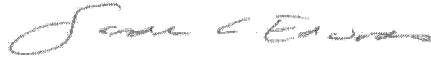
Defendant Monsanto Company respectfully requests that the Court read the following proposed curative instruction to the jury prior to opening statements:

**Proposed Curative Instruction No. 1**

During the plaintiff's statements preceding jury selection, plaintiff's counsel stated that the law in California is to "warn or pay." That is a misstatement of the law, and you are to disregard it. I will instruct you on the law at the end of this case.

Dated: June 24, 2018

Respectfully submitted,  
FARELLA BRAUN + MARTEL LLP

By:   
\_\_\_\_\_  
Sandra A. Edwards

Attorneys for Defendant  
MONSANTO COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of June, 2018, I electronically filed the foregoing

- **DEFENDANT MONSANTO COMPANY'S CURATIVE**

**INSTRUCTION NO. 1**

with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Curtis G. Hoke, Esq.  
The Miller Firm, LLC  
108 Railroad Avenue  
Orange, VA 22960

  
Susan C. Hunt