1 2 3 4 5 6 7 8	Michael J. Miller (pro hac vice) Curtis Hoke (State Bar No. 282465) David Dickens (pro hac vice) Jeffrey Travers (pro hac vice) The Miller Firm, LLC 108 Railroad Ave. Orange, VA 22960 (540) 672-4224 phone; (540) 672-3055 fax choke@millerfirmllc.com R. Brent Wisner, Esq. (SBN: 276023) Pedram Esfandiary (SBN: 312569) pesfandiary@baumhedlundlaw.com Baum, Hedlund, Aristei & Goldman, P.C.		ELECTRONICALLY FILED Superior Court of California, County of San Francisco 10/26/2018 Clerk of the Court BY:ERNALYN BURA Deputy Clerk
9	12100 Wilshire Blvd. Suite 950 Los Angeles, CA 90025		
10	Telephone: (310) 207-3233 Facsimile: (310) 820-7444		
11	SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF SAN FRANCISCO		
13	COUNTI	T SAN FRANCISC	.0
14	Dewayne Johnson) Case N	No. CGC-16-550128
15	Plaintiff,		NTIFF'S NOTICE OF
16	VS.	· · · · · · · · · · · · · · · · · · ·	CPTANCE OF TTITUR
17	Monsanto Company)	
18	Defendant) Hon. J	udge Suzanne R. Bolanos
19))	
20 21)	
22)	
23		_)	
24	TO THE COUDT DESENDANT A	ND ITC COUNCE	LOE DECORD.
25	TO THE COURT, DEFENDANT AND ITS COUNSEL OF RECORD: NOTICE IS HEREBY GIVEN that pursuant to the Court's Order dated October 22, 2018		
26	conditionally denying Monsanto's Motion for New Trial and CCP § 662.5, the Plaintiff will accept the		
27	reduction of punitive damages to the amount of \$39,253,209.35. The total verdict would therefore be in the amount of \$78,506,418.70. The Plaintiff accepts the remittitur with the intent to avoid the further		
28			

1	burden of a new trial or appeal. If the Defendant appeals the Court's October 22, 2018 order on any		
2	grounds and thereby deprives Plaintiff of "the benefits he has sought by his consent to the remittitur,"		
3	then the Plaintiff does not waive his right to appeal the reduction of punitive damages. <i>Miller v. Nat'l</i>		
4	Am. Life Ins. Co. (Ct. App. 1976) 54 Cal. App. 3d 331, 345.		
5			
6	Dated: October 26, 2018	Respectfully Submitted,	
7	7		
8	3	THE MILLER FIRM, LLC	
9	3	/s/ Curtis G. Hoke Michael J. Miller (appearance <i>pro hac vice</i>)	
10		David Dickens (appearance pro hac vice)	
11	1	Curtis G. Hoke (SBN 282465) THE MILLER FIRM, LLC	
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17		Pedram Esfandiary (SBN: 312569) Baum, Hedlund, Aristei & Goldman, P.C .	
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21			
22		Attorneys for Plaintiff	
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28	S		