



December 11, 2018

FILED VIA ECF

Honorable Vince Chhabria
United States District Court, Northern District of California

Re: Daubert Hearing in Hardeman v. Monsanto Co., et al. Case No. 3:16-cv-00525-VC;
Gebeyehou v. Monsanto Co., et al. Case No. 3:16-cv-05813-VC; *Stevick, et al. v.*
Monsanto Co., et al. Case No. 3:16-cv-02341-VC

Dear Judge Chhabria:

Plaintiffs Hardeman, Stevick and Gebeyehou (Plaintiffs) write to alert the Court about a scheduling issue for the testimony of Plaintiffs' specific causation expert Dr. Shustov at the *Daubert* hearing. The below request would only be necessary if Monsanto requests Dr. Shustov's live testimony at the *Daubert* hearing, but since Plaintiffs do not yet know, we believe it is important to raise the issue with the Court now.

Dr. Shustov has a long standing, pre-paid, nonrefundable trip planned for three weeks, and that trip encompasses all three dates set by the Court for the *Daubert* hearing; he will be out of the country the entire time. Dr. Shustov is available to provide oral testimony on Tuesday, January 22nd. Dr. Shustov will be deposed over two days later this week on Friday and Saturday, December 14th and 15th.

Plaintiffs' counsel have discussed this request with counsel for Monsanto, and they do not object. Accordingly, Plaintiffs respectfully request that the Court allow Dr. Shustov to testify on a different date than those currently set aside for *Daubert* testimony and, if available, schedule the hearing for January 22nd.

Respectfully submitted,

Robin L. Greenwald

Cc: Julie DuPont
Pamela Yates