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January 3, 2019

VIA CM/ECF

Hon. Vince Chhabria
San Francisco Courthouse, Courtroom 4
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *In re Roundup Prods. Liab. Litig.*, No. 3:16-md-02741-VC: Discovery Letter

Dear Judge Chhabria:

The Parties have reached an impasse on issues related to certain of Monsanto's Responses to Plaintiffs' First Set of General Requests for Admission (RFAs) and First Set of General Interrogatories (Roggs). Plaintiffs' Requests along with Monsanto's responses are attached as Exhibits A & B.

Plaintiffs' Position

For all issues below, Plaintiffs request additional or supplemental responses by January 14, 2019, so that they can be used as part of the Rule 30(b)(6) deposition set for January 23, 2019.

ISSUE # 1: Interrogatory Responses Prior to Monsanto's Deposition

Monsanto refuses to provide substantive responses to Roggs 1, 2, and 12. Instead, Monsanto states that Plaintiffs may ask about these topics at the upcoming Rule 30(b)(6) deposition. But, this is not a valid reason to avoid providing a response. Written discovery is specifically designed to focus issues prior to oral discovery. Plaintiffs want written responses to use *as part* of the deposition. Indeed, Monsanto consistently demands written responses to discovery prior to taking any Plaintiff deposition.

ISSUE # 2: Non-Responsive and Improper "Clarification" in RFAs (Exhibit C)

Rule 36(a)(4) provides that in answering an RFA, "[i]f a matter is not admitted, the answer must specifically deny it or state in detail why the answering party cannot truthfully admit or deny it." Nothing in the Rule allows an answering party to inject non-responsive argument into an RFA response. The Rule explains that "[a] denial must fairly respond to the substance of the matter; and when *good faith* requires that a party qualify an answer or deny only a part of a matter, the answer must specify the part admitted and qualify or deny the rest." *Id.* (emphasis added). Thus, adding qualification is only permitted when, in good faith, that additional information is needed to admit or deny the request. If a party does not comply with this Rule, "the court may order either that the matter is admitted or that an amended answer be served." *Id.* at 36(a)(6).

In responding to RFAs 4, 5, 6, and 7, Monsanto has injected "clarification" that is neither in good faith nor responsive. A list of the requests and Monsanto's responses are listed on Exhibit C. Plaintiffs have identified the extraneous language in **Red** and the responsive language in **Blue**. Plaintiffs request the

Court either strike the Red language or order Monsanto to provide a proper response without it.

- **RFA No. 4:** This request asks Monsanto to admit “that Monsanto has not conducted a long-term animal carcinogenicity study on glyphosate since 1991.” Monsanto proceeds to provide a substantive response and then, out of nowhere, notes that other glyphosate manufacturers have conducted such studies and then claims “that regulators reviewing these [other] studies have concluded that they do not support a finding that glyphosate causes cancer in humans.” Exh. C at 1. This language is non-responsive to the request. Plaintiffs did not ask about other glyphosate manufacturers or regulatory agencies.
- **RFA No. 5:** This request asks Monsanto to admit “that Monsanto has never conducted a long-term animal carcinogenicity study on any glyphosate formulation.” Monsanto proceeds to provide a substantive response and then injects argument about standard industry practices—an issue never raised in the RFA. Exh. C at 1. This is non-responsive argument.
- **RFA No. 6:** This request asks Monsanto to admit “that Monsanto is not precluded by any applicable law, regulation, or ordinance from conducting a long-term animal carcinogenicity study [on] a glyphosate formulation.” Exh. C at 2. Monsanto admits this and then adds an argument about the significance of this admission. This is not responsive to the RFA. If Monsanto wants to argue the significance of an admission, it can so at trial, not here.
- **RFA No. 7:** This request asks Monsanto to admit “that Monsanto has never conducted a long-term animal carcinogenicity study on any surfactant used in a glyphosate formulated product.” Monsanto provides a responsive answer and even a responsive qualification. *See* Exh. C at 2-3. But then, Monsanto inserts nearly a page of non-responsive argumentation. It is completely non-responsive as *Carcinogenicity* of surfactants.

ISSUE # 3: Insufficient Response to RFA No. 8

RFA No. 8 asks Monsanto to admit “that Monsanto has never conducted an epidemiology study on glyphosate or any glyphosate-based formulation to determine whether there is an association between exposure and non-Hodgkin lymphoma.” Monsanto denies this, citing the Farm Family Exposure Study (FFES). Exh. A at 7. A copy of the FFES is attached as Exhibit D. Monsanto then makes an argument that additional epidemiology studies by Monsanto were not necessary because other researchers did some—even though the RFA never asked about other researchers. This response is insufficient, and the Court should deem this RFA admitted pursuant to Fed. R. Civ. P. 36(a)(6). First, the FFES is not an epidemiology study. “Epidemiology is ‘the field of public health and medicine that studies the incidence, distribution, and etiology of disease in human populations.’” *In re Roundup Prod. Liab. Litig.*, No. 16-MD-02741-VC, 2018 WL 3368534, at *7 (N.D. Cal. July 10, 2018) (citation omitted). The FFES, as its name suggests, looked at *exposure*, it did not assess the “incidence, distribution, and etiology of” any disease, let alone NHL, as was specifically asked in the RFA. Second, even if the FFES was used in the Agricultural Health Study (AHS)—a spurious claim considering it was never cited or referenced in the AHS publications related to glyphosate (De Roos 2005 or Andreotti 2018)—it is still not an epidemiological study. Third, even if one considered the FFES an epidemiological study, there is no dispute that the FFES did not look at or even consider whether glyphosate is associated with NHL, as the RFA specifically asks. NHL is never mentioned in the publication. Moreover, Monsanto’s discussion of the AHS—a study Monsanto did not conduct—is completely non-responsive to the RFA and is just argument. Monsanto did not add this information in good faith. Monsanto should either be ordered to properly respond to the RFA or the Court should simply deem it admitted.

ISSUE # 4: Managing Agent Discovery, RFAs 43-107

Under California law, before a Court can impose punitive damages against a corporation, the conduct allowing for the punitive damages, i.e., malice, fraud, or oppression, must have been done by, authorized by, known about by, or ratified by a managing agent. *See, e.g.*, Judicial Council Of California Civil Jury Instruction (“CACI”) 3948. And, under California law, managing agents are “those employees who exercise substantial independent authority and judgment over decisions that ultimately determine corporate policy.” *White v. Ultramar, Inc.*, 21 Cal. 4th 563, 573, 981 P.2d 944, 951 (Cal. 1999). In the *Johnson* case, Monsanto argued to the Court and the jury that the individuals identified by the plaintiffs were not managing agents and, thus, their conduct could not be imputed to Monsanto.

To address this issue through discovery, Plaintiffs served RFAs asking Monsanto to admit or deny that specific individuals, i.e., the custodians searched by Monsanto for responsive documents— “exercise[] and/or exercised substantial discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates to glyphosate and GBFs.” Exh. A at 22-46. Similarly, Plaintiffs served Rogg No. 10, which asked Monsanto to “Please identify those individuals within Monsanto, between 1970 and the present, that exercised substantial discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates to glyphosate and GBFs, including but not limited to those individuals who have been deposed in this MDL and other Roundup-cancer litigation.” In response to Plaintiffs’ RFAs, Monsanto denied each one. During the meet-and-confer, Monsanto’s counsel clarified that these denials were not substantive, but were denials because the RFAs are “hopelessly overbroad” in addition to its other objections. Regarding Rogg No. 10, Monsanto refuses to provide any substantive answer. *See* Exh. B at 13. This discovery is relevant—it goes to a specific element of punitive damages. The burden associated with these requests is not substantial nor disproportional to the needs of the case. Monsanto should know whether these individuals, or which individuals, were managing agents. If it does not know, then it should say so.

ISSUE # 5: List of Governments in the United States that Have Banned or Restricted GBFs

Rogg No. 19 asks Monsanto to “identify all governmental entities in the United States, including states, municipalities, school districts, park districts, etc., that have banned, restricted the use, or required carcinogenicity warnings for glyphosate-based herbicides, and specify the date when that went into effect.” Exh. B at 20-21. Monsanto refuses to respond to this Rogg citing various objections. None of these are availing. This list is clearly relevant, especially if Monsanto plans to argue to the jury that governments around the world have determined that GBFs are safe. If numerous governments have limited or restricted GBFs, it is relevant to notice, i.e., Monsanto’s knowledge of a risk, and the credibility of those witnesses and/or institutions (IARC) that have agreed that GBF’s pose a health risk. Monsanto, with its comprehensive Freedom to Operate (FTO) program, is uniquely suited to identify those governments within the United States that have restricted or banned GBFs.

Monsanto’s Position

MONSANTO’S RESPONSE TO ISSUE # 1: ROG No. 1 asks Monsanto to “Please describe and define Freedom to Operate (FTO) and how Monsanto uses or implements FTO as it relates to glyphosate and glyphosate-based formulations.” **ROG No. 2** asks Monsanto to “Please describe and define Let Nothing Go (LNG) and how Monsanto uses or implements LNG as it relates to glyphosate and glyphosate-based formulations.” **ROG No. 12** asks Monsanto to “Please describe what efforts, if any, that Monsanto directly, or through an intermediary, has undertaken to direct internet searches to news

articles, including but not limited paid listings on Reddit and Google. Please describe whether this activity has been directed toward residents living in the San Francisco Bay area and, if so, why.”

Plaintiffs’ Notice of Rule 30(b)(6) Deposition seeks testimony on these very same topics, and Interrogatory No. 12 is duplicative of RFA No. 37 (“Admit that Monsanto has paid money to steer internet searches to specific news articles.”). Monsanto’s Rule 30(b)(6) Corporate Deponent will be prepared to address each of these interrogatories at the deposition currently scheduled for January 23, 2019. Plaintiffs’ unsupported contention that this is “not a valid reason to avoid providing a response” fails under both the Federal Rules and case law. *See* Fed. R. Civ. P. 26(b)(2)(C)(i) (The Court “must limit the frequency or extent of discovery...[if it] can be obtained from some other source that is more convenient, less burdensome, or less expensive.”); *Buehrle v. City of O’Fallon, Mo.*, 2011 WL 529922, at *3 (E.D. Mo. Feb. 8, 2011) (finding a “thoroughly educated Rule 30(b)(6) deponent” is a more useful and convenient discovery tool than “producing documents and responding to written discovery”). Plaintiffs’ contention that they are entitled to written answers on duplicative topics for use in examining a Rule 30(b)(6) witness is similarly without merit.¹ *See* Fed. R. Civ. P. 26(b)(2)(C)(i) (The Court “must limit the frequency or extent of discovery...if it determines that: (i) the discovery sought is unreasonably cumulative or duplicative[.]; *In re Intel Corp. Microprocessor Antitrust Litig.*, 2009 WL 2921310, at *2 (D. Del. Sept. 8, 2009) (finding “repetitive and duplicative discovery” is “not appropriate”). Monsanto therefore requests that this Court limit these duplicative discovery requests strictly to seeking deposition testimony on these Topics from Monsanto’s Rule 30(b)(6) Witness.

MONSANTO’S RESPONSE TO ISSUE # 2: Plaintiffs’ complaints about **RFA Nos. 4-7** are also unfounded. Monsanto admitted these requests and, in good faith, appropriately qualified those admissions, because the RFAs wrongly assume the predicate fact that such studies are scientifically feasible and should have been conducted by Monsanto. Qualifications of this kind are permitted by the Federal Rules. *See* Fed. R. Civ. P. 36(a)(4) (“[W]hen good faith requires that a party qualify an answer or deny only a part of the matter, the answer must specify the part admitted and qualify or deny the rest.”); *Harris v. Koenig*, 271 F.R.D. 356, 374 (D.D.C. 2010) (“Given that it is unreasonable to expect that one party can always accept the other party’s characterization of an event, [FRCP 36(4)] permits a party to qualify its answer.”). In fact, Monsanto is not aware of any pesticide or surfactant manufacturer that has conducted these types of studies and there are no regulatory guidelines by which such studies could be conducted and submitted. Even more, Plaintiffs concede that Monsanto’s responses were “responsive,” but purportedly take issue with the “clarification” Monsanto provided. Monsanto’s qualifications are necessary to neutralize any improper inferences plaintiffs may draw from Monsanto’s admissions. *See Climco Coils Co. v. Siemens Energy & Automation, Inc.*, 2006 WL 850969, at *1 (N.D. Ill. Mar. 28, 2006) (finding when a request is “technically true,” but an explanation is needed to “cure improper inferences,” the responding party may in good faith qualify their response.). Plaintiffs’ assertion that Monsanto’s response contains “non-responsive argument” or “clarification” should be rejected.

Additionally, Monsanto requests that the Court deny plaintiffs’ request for relief as to **RFA No. 4** because it is not ripe for resolution. Plaintiffs’ December 22, 2018 Letter does not raise any issue with

¹ Plaintiffs’ reference to Monsanto’s use of written discovery to obtain documents and information, including medical records, in advance of “taking any Plaintiff deposition” is not analogous in any way to plaintiffs’ efforts to try and obtain concessions to their legal and jury arguments from Monsanto, given the millions of pages of documents already in plaintiffs’ possession, and because plaintiffs have already taken numerous depositions of current and former employees of Monsanto.

Monsanto's response to **RFA No. 4**, nor did the parties discuss this RFA at the December 28, 2018, telephonic meet and confer. Monsanto likewise requests that this Court strike plaintiffs' Exhibits C and D, because their attachment to this filing violates this Court's Standing Order regarding discovery letter briefs. *See* Standing Order for Civil Cases Before Judge Vince Chhabria at 6 ("No exhibits may be submitted with the letter other than any discovery request or response that is the subject of the letter.").

MONSANTO'S RESPONSE TO ISSUE # 3: Monsanto denied **RFA No. 8** because it *has* conducted the Farm Family Exposure Study ("FFES"). Monsanto's in-house epidemiologist at the time, John Acquavella, testified the FFES was conducted per Monsanto's desire to "contribute to the epidemiology literature on glyphosate" in response to early case-control studies that used crude exposure metrics in analyzing potential associations between GBHs (and other pesticides) and NHL. Dep. Tr. of John Acquavella (In Re: Roundup Prods Liability Lit), Vol. 1 at 45:6-11. Dr. Acquavella presented his findings to the Agricultural Health Study investigators, who conducted and published similar biomonitoring studies as part of their AHS investigation and used the results of these biomonitoring studies in developing a more accurate intensity-weighted measure of exposure. Plaintiffs' contention that that FFES is not an epidemiology study is based on an overly-narrow definition of epidemiology. The World Health Organization, for example, defines epidemiology as the "study of the distribution and determinants of health-related states or events (including disease), and the application of this study to the control of diseases and other health problems." <https://www.who.int/topics/epidemiology/en/> (Accessed Jan. 3, 2019). The study of "determinants" of disease includes the study of human exposures.

MONSANTO'S RESPONSE TO ISSUE # 4: RFA Nos. 43 - 107 asks Monsanto to admit that over 60 different employees "exercises and/or exercised substantial discretionary authority over decisions that ultimately determined Monsanto's policies as it relates to glyphosate and GBFs." Monsanto denied these requests because *plaintiffs* bear the burden of establishing whether an employee is a "managing agent" for the purpose of assessing punitive damages upon the corporation. *See Kelsey v. Allstate Ins. Co.*, 2005 WL 1773302, at *11 (N.D. Cal. July 26, 2005); Judicial Council Of California Civil Jury Instruction ("CACI") 3948 ("You may also award punitive damages...if [plaintiff] proves [one of] the following...") They cannot meet this burden by simply requiring Monsanto to admit the legal conclusion. In addition, plaintiffs concede these RFAs target "a specific element of punitive damages," which is a hotly disputed issue. *See James v. Maguire Corr. Facility*, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) ("Requests for admissions should not be used to establish facts which are obviously in dispute ... [or] to demand that the other party admit the truth of a legal conclusion, even if the conclusion is attached to operative facts.") (citations and quotations omitted); *People of State of Cal. v. The Jules Fribourg*, 19 F.R.D. 432, 435 (N.D. Cal. 1955) ("Requests for admissions are designed to eliminate from the case issues which are not really in dispute between the parties..."). Further, "[w]hether an employee is a managing agent is a factual question for a jury," and therefore inappropriately targeted by a lengthy series of repetitive, identical requests for admission. *Hamilton v. Costco Wholesale Corp.*, 2011 WL 3714778, at *9 (C.D. Ca. Aug. 24, 2011). These RFAs also fail to specify any meaningfully restricted time period, are overly broad in seeking information regarding authority over policies that have nothing to do with GBF safety or sales and, indeed, would extend to issues like Roundup-ready crops that are far afield of anything relevant to this litigation, and fail to define the phrase "exercised substantial discretionary authority." Rather than pose a series of admissions for legal conclusions for more than 60 employees, plaintiffs should instead be required to identify specific actions or statements of the individuals named in the RFAs for whom they seek to rely on for proving punitive damages. As noted by plaintiffs, **ROG No. 10** is duplicative of RFA Nos. 43-

107. See *Intel Corp.*, 2009 WL 2921310, at *2 (duplicative discovery is “not appropriate”). It therefore fails from the same deficiencies as the RFAS, and is subject to the same objections.

MONSANTO’S RESPONSE TO ISSUE # 5: Even if **ROG No. 19** was relevant, Monsanto explained to plaintiffs during the Meet and Confer on December 29, 2018, that it does not maintain a central list of information pertaining to localities that have banned, restricted, or required warnings for glyphosate-based herbicides, and the burden of compiling this information is the same for plaintiffs as it would be for Monsanto. See *Scherbakovskiy v. Da Caop Al Fine, Ltd.*, 490 F.3d 130, 138 (2nd Cir. 2007) (“[A] party is not obligated to produce, at the risk of sanctions, documents [or information] that it does not possess or cannot obtain.”); *Ashanti v. CA Dept. of Corrections*, 2006 WL 2695337, at *7 (E.D. Cal. Sept. 20, 2006) (“Defendants are not required to produce documents that they do not have within their custody, possession or control...”); *Travillion v. Allegheny Cty. Bureau of Corrections*, 2009 WL 1457720, at *1 (W.D. Pen. May 22, 2009) (“Defendants have no duty to produce documents they do not possess.”). Courts have been clear that only a reasonable effort to search for information is required to adequately respond to interrogatories. See *United States v. \$209,814 in United States Currency*, 2015 WL 1927431, at *4 (N.D. Cal. Apr. 28, 2015)(requiring only “reasonable effort,” not “extensive research,” in responding to interrogatories when responding party is not in possession of the sought-after documents).; *Tobacco and Allied Stocks v. Transamerica Corp.*, 16 F.R.D. 537, 541 (D. Del. 1954) (defendant need not perform “an independent research” to acquire information requested via interrogatories). Further, Monsanto’s access to such information is equal to plaintiffs, who purport to have already compiled such a list from public sources. See <https://www.baumhedlundlaw.com/toxic-tort-law/monsanto-roundup-lawsuit/where-is-glyphosate-banned/> (Accessed Jan. 3, 2019).

Sincerely,

By: /s/ R. Brent Wisner

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Exhibit A

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MONSANTO COMPANY

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: ROUNDUP
PRODUCTS LIABILITY
LITIGATION**

MDL No. 2741
Case No. 16-md-02741-VC

**This document relates
to: ALL ACTIONS**

**MONSANTO COMPANY'S
RESPONSES AND OBJECTIONS TO
FIRST SET OF GENERAL REQUESTS
FOR ADMISSION**

Hon. Vance Chhabria

**MONSANTO COMPANY'S RESPONSES AND OBJECTIONS TO FIRST SET
OF GENERAL REQUESTS FOR ADMISSION**

Monsanto Company ("Monsanto") hereby responds pursuant to Rule 36 of the Federal Rules of Civil Procedure to First Set of General Requests for Admission.

GENERAL OBJECTIONS

1. Monsanto objects to plaintiffs' Requests to the extent they call for the disclosure of information protected by the attorney-client privilege and/or attorney work product doctrine. Monsanto will construe all Requests as extending only to information and documentation that are not protected by the attorney-client privilege and/or the work product doctrine.

1 2. Monsanto’s Responses to plaintiffs’ Requests are made without waiving the right,
2 at any time and for any reason, to revise, supplement, correct, add to, or clarify these Responses.

3 3. Monsanto objects to these Requests to the extent that they seek to impose a
4 burden or requirements beyond what the Federal Rules of Civil Procedure require.

5 4. Monsanto objects to these Requests as unreasonably cumulative and/or
6 duplicative of discovery already served.

7 5. These General Objections apply to all of the following Responses to specific
8 Requests and are incorporated by reference therein.

9 **MONSANTO’S SPECIFIC RESPONSES AND OBJECTIONS**

10 **REQUEST NO. 1:** Admit that Monsanto has never submitted the scientific reviews
11 authored by Dr. James Parry, located at MONGLY01312094-104 and
12 MONGLY01314233-267, to the EPA.

13 **RESPONSE TO REQUEST NO. 1:** Monsanto incorporates by reference General
14 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
15 cumulative and/or duplicative of discovery already served. Monsanto objects to the phrase
16 “scientific reviews” as vague and ambiguous. Monsanto objects to this Request as
17 assuming facts that are not correct including because Monsanto had no duty to submit the
18 above-referenced reports to EPA. Notwithstanding Monsanto’s objections, Monsanto
19 **ADMITS** that, after reasonable inquiry into the information that is known or readily
20 obtainable, it has not identified any documentary evidence that the referenced reports were
21 submitted to U.S. EPA, but states further that Monsanto had no duty to submit the above-
22 referenced reports to EPA, and the original studies referenced in these reports were
23 submitted and/or publically available to U.S. EPA in the published literature. To the extent
24 that this Request references other documents, Monsanto cannot respond. Monsanto
25 otherwise **DENIES** this Request.

1 **REQUEST NO. 2:** Admit that Monsanto has never submitted the scientific reviews authored
2 by Dr. James Parry, located at MONGLY01312094-104 and MONGLY01314233- 267, to
3 any regulatory agency.

4 **RESPONSE TO REQUEST NO. 2:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request because the
6 phrase “scientific reviews” and “regulatory agency” are vague and ambiguous.
7 Notwithstanding Monsanto’s objections, Monsanto **ADMITS** that, after reasonable inquiry
8 into the information that is known or readily obtainable, it has not identified any
9 documentary evidence that the referenced reports were submitted to regulators, but states
10 further that the original studies referenced in these reports were submitted and/or publically
11 available in the published literature. To the extent that this Request references other
12 documents, Monsanto cannot respond. Monsanto otherwise **DENIES** this Request.

13 **REQUEST NO. 3:** Admit that Monsanto has not conducted all the recommended actions
14 specified in Dr. James Parry’s second scientific review listed at MONGLY01314265-66.

15 **RESPONSE TO REQUEST NO. 3:** Monsanto incorporates by reference General
16 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it seeks
17 information that is neither relevant and nor proportional to the needs of the case. Monsanto
18 objects to this Request because the phrases “conducted all recommended actions” and
19 “scientific review” are vague and ambiguous. Monsanto objects to this Request because it
20 is cumulative and/or duplicative of discovery already served. Notwithstanding Monsanto’s
21 objections, Monsanto **DENIES** this request as written. Monsanto states that it did conduct
22 some of the recommended actions specified by Dr. Parry in the identified document.
23 Monsanto states further that it provided Dr. Parry with research that already existed, and it
24 also conducted additional studies. After reviewing this research and additional studies, Dr.
25 Parry concluded that glyphosate is not genotoxic, and any additional testing he had
26 recommended would be unnecessary.

1 **REQUEST NO. 4:** Admit that Monsanto has not conducted a long-term animal carcinogenicity
2 study on glyphosate since 1991.

3 **RESPONSE TO REQUEST NO. 4:** Monsanto incorporates by reference General
4 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
5 cumulative and/or duplicative of discovery already served, including because this request was
6 posed to Monsanto in Plaintiffs' Requests for Admission – Revised (Dated 09/03/17) at RFA No.
7 11. Notwithstanding Monsanto's objections, Monsanto **ADMITS** that, after reasonable inquiry
8 into the information that is known or readily obtainable, it has not identified any 12 month or
9 longer animal chronic toxicity studies that it has conducted on glyphosate since 1991, but
10 Monsanto notes that a significant number of such studies have been conducted by other
11 registrants of glyphosate and that regulators reviewing these studies have concluded that they do
12 not support a finding that glyphosate causes cancer in humans. Monsanto otherwise **DENIES**
13 this Request.

14 **REQUEST NO. 5:** Admit that Monsanto has never conducted a long-term animal
15 carcinogenicity study on any glyphosate formulation.

16 **RESPONSE TO REQUEST NO. 5:** Monsanto incorporates by reference General
17 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
18 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request
19 because it assumes facts that are not correct, including because there is no methodology or
20 design that allows for a long-term animal carcinogenicity study on any glyphosate formulation.
21 Notwithstanding Monsanto's objections, Monsanto **ADMITS** that it has not conducted a long-
22 term animal carcinogenicity study on any formulated pesticide product. To the extent plaintiffs
23 suggest that conducting long-term animal carcinogenicity studies on glyphosate formulations is a
24 common industry practice, Monsanto **DENIES** the request and states further that it has not
25 identified any other company or scientific entity who has conducted a long-term animal
26 carcinogenicity study on any formulated pesticide product. Plaintiffs' regulatory expert similarly
27

1 is not aware of such studies. *See* Deposition of Charles Benbrook, Ph.D. (*Peterson & Hall v.*
2 *Monsanto Co.*) at 211:7-15. Monsanto otherwise **DENIES** this Request.

3 **REQUEST NO. 6:** Admit that Monsanto is not precluded by any applicable law, regulation, or
4 ordinance from conducting a long-term animal carcinogenicity study [sic] a glyphosate
5 formulation.

6 **RESPONSE TO REQUEST NO. 6:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
8 cumulative and/or duplicative of discovery already served. Monsanto objects to the phrase “any
9 applicable law, regulation, or ordinance” as vague, ambiguous, and lacking specificity.

10 **ADMITTED.** To the extent plaintiffs suggest that because Monsanto is not prohibited by law to
11 perform long-term animal carcinogenicity studies on a glyphosate formulation, that Monsanto is
12 therefore required to perform long-term animal carcinogenicity studies on glyphosate
13 formulations or that such a study is feasible, Monsanto **DENIES** this request because there is no
14 methodology or design that allows for a long-term animal carcinogenicity study on any
15 glyphosate formulation that would be deemed acceptable for regulatory purposes.

16 **REQUEST NO. 7:** Admit that Monsanto has never conducted a long-term animal
17 carcinogenicity study on any surfactant used in a glyphosate formulated product.

18 **RESPONSE TO REQUEST NO. 7:** Monsanto incorporates by reference General
19 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
20 cumulative and/or duplicative of discovery already served. Notwithstanding Monsanto’s
21 objections, Monsanto **ADMITS** that it has never conducted a 12 month or longer term animal
22 carcinogenicity study on any surfactants used in glyphosate-based products. To the extent the
23 phrase “long-term animal carcinogenicity study” is intended to apply to studies involving rodents
24 exposed to surfactants for up to four weeks, Monsanto **DENIES** this request. Studies conducted
25 in rodents orally administered surfactants for four weeks indicate that long-term studies are not
26 feasible. Monsanto does not manufacture the surfactants used in its glyphosate-based

1 formulations and is not required to conduct long-term carcinogenicity testing. Monsanto has
2 generated additional data on safety endpoints for surfactants that it uses in glyphosate-based
3 formulations in the United States as part of its product stewardship efforts. That data was
4 submitted to the EPA along with the data of other pesticide and surfactant manufactures as part
5 of the Joint Inert Task Force submission. *See, e.g.*, Petition Proposing An Exemption From The
6 Requirement Of A Tolerance for Residues Of Joint Inerts Task Force Cluster 4 “Alkyl Amines
7 Polyalkoxylates” In or On Raw Agricultural Products And Food Products. Per Fr, Notice, Vol.
8 71, No. 153, P.45422 § 180.920 [Amended], M,N,O,P., Joint Inert Task Force Support Team
9 Number 4, June 19, 2008 (MONGLY01170026-105). The EPA has stated that no long-term
10 rodent carcinogenicity studies of surfactants used in glyphosate-based products is necessary and
11 concluded that those surfactants are not carcinogenic. *See* United States Environmental
12 Protection Agency, Memorandum Re: Alkyl Alcohol Alkoxyates (AAA- JITF CST 1 Inert
13 Ingredient), July 14, 2009; United States Environmental Protection Agency, Memorandum Re:
14 Alkyl Alcohol Alkoxyate Phosphate and Sulfate Derivatives (AAPDs and AAASDs – JITF
15 CST 2 Inert Ingredients), June 8, 2009; United States Environmental Protection Agency,
16 Memorandum Re: Alkyl Amine Polyalkoxylates (JITF CST 4 Inert Ingredients), April 3, 2009;
17 United States Environmental Protection Agency, Memorandum Re: Methyl Poly(Ocyethylene)
18 C₈ – C₁₈ Alkylammonium Chlorides (MPOACs – JITF CST 7 Inert Ingredients), June 2, 2009;
19 United States Environmental Protection Agency, Memorandum Re: Sodium and Ammonium
20 Naphthalenesulfonate Formaldehyde Condensates (SANFCs – JITF CST 11 Inert Ingredients),
21 May 28, 2009. Additionally, Monsanto has conducted genotoxicity testing on surfactants used in
22 glyphosate-based products, none of which have shown genotoxic endpoints. *See, e.g.*,
23 Farabaugh, 2009 (MONGLY00603608-45); Flowers, 1982 (MONGLY01318663-83); Murli,
24 1997 (MONGLY00603709-68).

1 **REQUEST NO. 8:** Admit that Monsanto has never conducted an epidemiology study on
2 glyphosate or any glyphosate-based formulation to determine whether there is an association
3 between exposure and non-Hodgkin lymphoma.

4 **RESPONSE TO REQUEST NO. 8:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
6 cumulative and/or duplicative of discovery already served. **DENIED.** Monsanto has conducted
7 human biomonitoring studies, including the Farm Family Exposure Study, which were
8 considered by investigators for the Agricultural Health Study in calculating the intensity
9 algorithm used to calculate dose in their epidemiologic studies looking at the potential
10 association between exposure to glyphosate based formulations and non-Hodgkin lymphoma.
11 Two published, peer-reviewed studies using the AHS cohort have found no evidence of an
12 association between glyphosate based formulations and non-Hodgkin lymphoma or any of its
13 subtypes. Monsanto also **DENIES** that additional epidemiological studies were needed
14 including because multiple published studies conducted by third party scientists with no
15 affiliation with Monsanto show no association between glyphosate containing formulations and
16 non-Hodgkin's lymphoma.

17 **REQUEST NO. 9:** Admit that the long-term animal carcinogenicity studies conducted on
18 glyphosate by Industrial Biotest in the 1970s were invalid.

19 **RESPONSE TO REQUEST NO. 9:** Monsanto incorporates by reference General
20 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
21 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request
22 because it seeks information that is neither relevant nor proportional to the needs of the case.
23 Monsanto objects to the term "invalid" and "studies" as vague, ambiguous, overly broad and
24 lacking specificity. Notwithstanding Monsanto's objections, Monsanto **ADMITS** that following
25 an EPA audit of all studies performed by Industrial Biotest ("IBT"), the EPA deemed some of
26 IBT's studies to be invalid. With respect to the IBT mouse study on glyphosate, EPA's audit
27

1 was unable to find information confirming the data collection of IBT was properly managed and,
2 therefore, found the study insufficient. Monsanto, therefore, repeated that study. To the extent
3 plaintiffs suggests Monsanto did not repeat the IBT studies called into question by the EPA,
4 Monsanto **DENIES** the request; Monsanto repeated all of the studies deemed invalid by the EPA
5 and which the EPA requested that Monsanto repeat, and no IBT data is currently used to support
6 glyphosate registration.

7 **REQUEST NO. 10:** Admit that the long-term animal carcinogenicity studies conducted on
8 glyphosate by Industrial Biotest in the 1970s were deemed invalid by the EPA.

9 **RESPONSE TO REQUEST NO. 10:** Monsanto incorporates by reference General
10 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
11 cumulative and/or duplicative of Request No. 9 above. Monsanto objects to this Request
12 because it seeks information that it is neither relevant nor proportional to the needs of the case.
13 Monsanto objects to the term “invalid” and “studies” as vague, ambiguous, overly broad, and
14 lacking specificity. Notwithstanding Monsanto’s objections, Monsanto **ADMITS** that following
15 an audit of all studies performed by Industrial Biotest, the EPA determined that some of IBT’s
16 studies to be invalid. With respect to the IBT mouse study on glyphosate, EPA’s audit was
17 unable to find information confirming the data collection of IBT was properly managed and,
18 therefore, found the study insufficient. Monsanto, therefore, repeated that study. To the extent
19 plaintiffs suggests Monsanto did not repeat the IBT studies called into question, Monsanto
20 **DENIES** the request; Monsanto repeated all of the studies deemed invalid by the EPA and which
21 the EPA requested that Monsanto repeat, and no IBT data is currently used to support glyphosate
22 registration.

23 **REQUEST NO. 11:** Admit that glyphosate have [sic] been patented by Monsanto as a potential
24 antibiotic.

25 **RESPONSE TO REQUEST NO. 11:** Monsanto incorporates by reference General
26 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is

1 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request
2 because it seeks information that is neither relevant nor proportional to the needs of the case.
3 Monsanto objects to the word “patented” as vague because it does not specify the location of
4 such patent. Monsanto objects to this Request because the phrase “as a potential antibiotic” is
5 vague, ambiguous, and lacks specificity. Notwithstanding Monsanto’s objections, Monsanto
6 **ADMITS** that it holds a patent on glyphosate for antibiotic use. To the extent plaintiffs suggest
7 glyphosate is currently being used or intended for use as an antibiotic, Monsanto **DENIES** any
8 such suggestion, and therefore **DENIES** the request. Monsanto **DENIES** that glyphosate has
9 ever been marketed by Monsanto or used commercially as an antibiotic.

10 **REQUEST NO. 12:** Admit that Monsanto has never warned any consumer that exposure to
11 GBFs can cause non-Hodgkin lymphoma.

12 **RESPONSE TO REQUEST NO. 12:** Monsanto incorporates by reference General
13 Objections 1-5 here as if restated in full. **ADMITTED.** Monsanto **DENIES** that its glyphosate-
14 containing products can cause non-Hodgkin’s lymphoma in any consumer, and **DENIES** that
15 there is any basis for such a warning.

16 **REQUEST NO. 13:** Admit that Monsanto has never warned any consumer that exposure to
17 GBFs is associated with non-Hodgkin lymphoma.

18 **RESPONSE TO REQUEST NO. 13:** Monsanto incorporates by reference General
19 Objections 1-5 here as if restated in full. **ADMITTED.** Monsanto **DENIES** that its glyphosate-
20 containing products can cause non-Hodgkin’s lymphoma in any consumer, and **DENIES** that
21 there is any basis for such a warning.

22 **REQUEST NO. 14:** Admit that the warning labels for Monsanto’s GBFs have never warned
23 consumers that exposure to GBFs can cause non-Hodgkin lymphoma.

24 **RESPONSE TO REQUEST NO. 14:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to the term “warning labels” as
26 vague, ambiguous, and lacking specificity. **ADMITTED.** Monsanto **DENIES** that its

1 glyphosate-containing products can cause non-Hodgkin’s lymphoma in any consumer, and
2 **DENIES** that there is any basis for such a warning.

3 **REQUEST NO. 15:** Admit that the warning labels for Monsanto’s GBFs have never warned
4 consumers that exposure to GBFs is associated with non-Hodgkin lymphoma.

5 **RESPONSE TO REQUEST NO. 15:** Monsanto incorporates by reference General
6 Objections 1-5 here as if restated in full. Monsanto objects to the term “warning labels” as
7 vague, ambiguous, and lacking specificity. **ADMITTED.** Monsanto **DENIES** that its
8 glyphosate-containing products can cause non-Hodgkin’s lymphoma in any consumer, and
9 **DENIES** that there is any basis for such a warning.

10 **REQUEST NO. 16:** Admit that the warning labels for Monsanto’s GBFs have never disclosed
11 IARC’s classification of glyphosate is a class 2A probable human carcinogen.

12 **RESPONSE TO REQUEST NO. 16:** Monsanto incorporates by reference General
13 Objections 1-5 here as if restated in full. Monsanto objects to the term “warning labels” as
14 vague, ambiguous, and lacking specificity. **ADMITTED.** Monsanto **DENIES** that IARC’s
15 classification requires Monsanto to list IARC’s classification on any of its product labels for
16 glyphosate-based formulations. Monsanto **DENIES** that any glyphosate-containing products can
17 cause cancer in any consumer, and **DENIES** that there is any basis for such a warning.

18 **REQUEST NO. 17:** Admit that Monsanto has never attempted to include a cancer warning on
19 any GBF warning label or container.

20 **RESPONSE TO REQUEST NO. 17:** Monsanto incorporates by reference General
21 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
22 cumulative and/or duplicative of discovery already served. Monsanto objects to the phrase
23 “cancer warning” and “warning label or container” as vague, ambiguous, and lacking specificity.
24 **ADMITTED.** Monsanto **DENIES** that any GBF can cause cancer in any consumer, and
25 **DENIES** that there is any basis for such a warning.

1 **REQUEST NO. 18:** Admit that the U.S. Department of Labor’s Occupational Safety and
2 Health Administration regulations require Monsanto to include IARC’s classification of
3 glyphosate is a class 2A probable human carcinogen on the Material Data Safety Sheet
4 (“MSDS”) for GBFs.

5 **RESPONSE TO REQUEST NO. 18:** Monsanto incorporates by reference General
6 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
7 cumulative and/or duplicative of discovery already served, including because this information is
8 being sought as a General Interrogatory by plaintiffs in this matter. Monsanto objects to this
9 Request to the extent it is not limited to materials that plaintiff actually saw, heard, read, or was
10 exposed to before or while deciding to use any Roundup® products they used. Any material
11 safety data sheets that plaintiffs did not see, hear, or read before or while deciding to use any
12 Roundup® product could have no bearing on their decision to use these products and are not
13 relevant to any issues in this lawsuit. Notwithstanding Monsanto’s objections, Monsanto
14 **DENIES** this Request as written. Monsanto **ADMITS** that OSHA regulations call for a
15 manufacturer to include on material safety data sheets in section 11, the Toxicological
16 information section “whether the hazardous chemical is listed in the National Toxicology
17 Program (NTP) Report on Carcinogens (latest edition) or has been found to be a potential
18 carcinogen in the International Agency for Research on Cancer (IARC) Monographs (latest
19 edition), or by OSHA.” 29 C.F.R. § 1910.1200, App. D. Monsanto **ADMITS** that OSHA
20 regulations require all chemical manufacturers to make a determination of whether a
21 manufactured chemical is a health hazard, including whether it is carcinogenic, and “identify and
22 consider the full range of available scientific literature and other evidence concerning the
23 potential hazards,” 29 C.F.R. § 1910.1200(d)(2), and that such health hazards must be listed in
24 section 2, the Hazard identification section. Monsanto **DENIES** that IARC’s classification
25 requires Monsanto to list glyphosate as a health hazard in section 2. Monsanto **ADMITS** that
26 based on the above OSHA regulations, Monsanto has placed the following on its safety data

1 sheets for glyphosate-containing products under section 11: “Not carcinogenic in rats or mice.
2 Listed as Category 2A by the International Agency for Research on Cancer (IARC) but our
3 expert opinion is that the classification as a carcinogen is not warranted.” Monsanto **DENIES**
4 that there is any constitutionally enforceable requirement to include IARC’s classification of
5 glyphosate on material safety data sheets for glyphosate containing products. Monsanto
6 otherwise **DENIES** this Request.

7 **REQUEST NO. 19:** Admit that the current Material Data Safety Sheet for Monsanto’s GBFs
8 discloses IARC’s classification of glyphosate is a class 2A probable human carcinogen.

9 **RESPONSE TO REQUEST NO. 19:** Monsanto incorporates by reference General
10 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it is not
11 limited to materials that plaintiffs actually saw, heard, read, or was exposed to before or while
12 deciding to use any Roundup® products used. Any material safety data sheets that plaintiffs did
13 not see, hear, or read before or while deciding to use any Roundup® product could have no
14 bearing on their decision to use these products and are not relevant to any issues in this lawsuit.
15 Notwithstanding Monsanto’s objections, Monsanto **ADMITS** that OSHA regulations call for a
16 manufacturer to include on material safety data sheets in section 11, the Toxicological
17 information section “whether the hazardous chemical is listed in the National Toxicology
18 Program (NTP) Report on Carcinogens (latest edition) or has been found to be a potential
19 carcinogen in the International Agency for Research on Cancer (IARC) Monographs (latest
20 edition), or by OSHA.” 29 C.F.R. § 1910.1200, App. D. Monsanto **ADMITS** that OSHA
21 regulations require all chemical manufacturers to make a determination of whether a
22 manufactured chemical is a health hazard, including whether it is carcinogenic, and “identify and
23 consider the full range of available scientific literature and other evidence concerning the
24 potential hazards,” 29 C.F.R. § 1910.1200(d)(2), and that such health hazards must be listed in
25 section 2, the Hazard identification section. Monsanto **DENIES** that IARC’s classification
26 requires Monsanto to list glyphosate as a health hazard in section 2. Monsanto **ADMITS** that

1 based on the above OSHA regulations, Monsanto has placed the following on its safety data
2 sheets for glyphosate-containing products under section 11: “Not carcinogenic in rats or mice.
3 Listed as Category 2A by the International Agency for Research on Cancer (IARC) but our
4 expert opinion is that the classification as a carcinogen is not warranted.” Monsanto **DENIES**
5 that there is any constitutionally enforceable requirement to include IARC’s classification of
6 glyphosate on material safety data sheets for glyphosate containing products. Monsanto
7 otherwise **DENIES** this Request.

8 **REQUEST NO. 20:** Admit that Monsanto’s GBFs contain arsenic.

9 **RESPONSE TO REQUEST NO. 20:** Monsanto incorporates by reference General
10 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it assumes
11 every glyphosate-based formulation ever made contains arsenic. **DENIED.**

12 **REQUEST NO. 21:** Admit that Monsanto does not submit toxicity data on surfactants used in
13 the Roundup formulation to the EPA or other regulatory agencies.

14 **RESPONSE TO REQUEST NO. 21:** Monsanto incorporates by reference General
15 Objections 1-5 here as if restated in full. Monsanto objects to the phrase “toxicity data” as
16 vague, ambiguous, and lacking specificity. **DENIED.** *See, e.g.,* Petition Proposing An
17 Exemption From The Requirement Of A Tolerance for Residues Of Joint Inerts Task Force
18 Cluster 4 “Alkyl Amines Polyalkoxylates” In or On Raw Agricultural Products And Food
19 Products. Per Fr, Notice, Vol. 71, No. 153, P.45422 § 180.920 [Amended], M,N,O,P., Joint Inert
20 Task Force Support Team Number 4, June 19, 2008 (MONGLY01170026-105).

21 **REQUEST NO. 22:** Admit the surfactants used in Monsanto’s GBFs are not inert ingredients.

22 **RESPONSE TO REQUEST NO. 22:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to the term “inert” as vague,
24 ambiguous, and lacking specificity. Notwithstanding Monsanto’s objections, Monsanto
25 **DENIES** this request as written. EPA categorizes the surfactants used in Monsanto’s U.S.

1 glyphosate-based formulations as inert ingredients because they are any substance other than an
2 active ingredient that is intentionally included in a pesticide product.

3 **REQUEST NO. 23:** Admit that Monsanto planned for the Williams et al. (2000) publication to
4 be used “both in the defense of Roundup and Roundup Ready crops worldwide and in our ability
5 to competitively differentiate ourselves from generics.” MONGLY01841704.

6 **RESPONSE TO REQUEST NO. 23:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to the term “planned” as vague,
8 ambiguous, and lacking specificity. Monsanto objects that the quotation in this Request is
9 incomplete and misrepresents the record. Monsanto objects to the partial quotation based on the
10 rule of completeness, and states that this quotation must be read in the context of the full cited
11 email chain. Monsanto objects to this Request because the document speaks for itself.
12 Notwithstanding Monsanto’s objections, Monsanto **DENIES** the request as written because the
13 cited document does not contain the language quoted in the Request.

14 **REQUEST NO. 24:** Admit that the June 25, 2018 Organisation for Economic Co-operation and
15 Development’s “Guideline for the Testing of Chemicals: Carcinogenicity Studies” does not
16 describe a 1000 mg/kg/day dose limit for conducting carcinogenicity studies on laboratory
17 animals.

18 **RESPONSE TO REQUEST NO. 24:** Monsanto incorporates by reference General
19 Objections 1-5 here as if restated in full. Monsanto objects to this request because it seeks an
20 admission as to a study drafted by a third party entity. Monsanto objects to this Request because
21 the document speaks for itself. Monsanto objects to this Request to the extent it seeks
22 information maintained outside of the United States, because such information is not relevant,
23 not proportional to the needs of this case, unduly cumulative and burdensome; there are no
24 allegations that plaintiffs in this case were exposed to or purchased glyphosate-containing
25 products outside of the United States, and plaintiffs have already completed extensive discovery
26 regarding Monsanto products sold in the United States such that further discovery would be

1 unduly cumulative and burdensome. Notwithstanding Monsanto's objections, Monsanto
2 **ADMITS** that the OECD "Guideline Test No. 451: Carcinogenicity Studies" provides no
3 information regarding dose levels. Monsanto further **ADMITS** that while EPA may in some
4 instances utilize OECD guideline studies in its risk assessment, EPA applies the Office of
5 Prevention, Pesticides, and Toxic Substances ("OPPTS") guidelines that specify EPA-
6 recommended methods to generate data that is submitted to EPA. The OPPTS guideline on
7 animal carcinogenicity provides that the "highest dose tested need not exceed 1,000 mg/kg/day."
8 The high dose in a long-term study is generally selected to provide the maximum ability to detect
9 treatment-related carcinogenic effects while not compromising the outcome of the study through
10 excessive toxicity or inducing inappropriate toxicokinetics. Monsanto otherwise **DENIES** this
11 request.

12 **REQUEST NO. 25:** Admit that an internal Monsanto memorandum about the EPA's 1985
13 determination concerning the oncogenicity of glyphosate stated that the EPA's classification
14 "would have serious negative economic repercussions." MONGLY00233281.

15 **RESPONSE TO REQUEST NO. 25:** Monsanto incorporates by reference General
16 Objections 1-5 here as if restated in full. Monsanto objects that the quotation in this Request is
17 incomplete and misrepresents the record. Monsanto objects to the partial quotation based on the
18 rule of completeness, and states that this quotation must be read in the context of the full cited
19 document. Monsanto objects to this Request because the document speaks for itself.

20 Notwithstanding Monsanto's objections, Monsanto **DENIES** this Request as written. Monsanto
21 **ADMITS** that cited document dated March 13, 1985, states, "Monsanto is concerned that even
22 the initiation of formal regulatory action would have serious negative economic repercussions
23 which we believe are not justified by the scientific evidence." Monsanto **DENIES** EPA
24 determined glyphosate was oncogenic including because EPA has never issued a formal agency
25 determination that glyphosate is oncogenic and EPA has always stated in final agency
26 determinations that glyphosate is not likely to be carcinogenic. Monsanto **DENIES** that this

1 document was created after Monsanto received EPA's July 29, 1985 letter (MONGLY04269006-
2 07). Monsanto otherwise **DENIES** this Request.

3 **REQUEST NO. 26:** Admit that the 1983 pathology report conducted by Bio/dynamics for
4 Study BDN-7 77-420, did not report a kidney tumor for control animal No. 1028.

5 **RESPONSE TO REQUEST NO. 26:** Monsanto incorporates by reference General Objections
6 1-5 here as if restated in full. Notwithstanding Monsanto's objections, Monsanto **ADMITS** that
7 the 1983 pathology report of the study BDN-77-420 conducted by Bio/dynamics does not report
8 a kidney tumor for control animal No. 1028. But Monsanto **DENIES** any suggestion by
9 plaintiffs that there was no tumor in control animal No. 1028. Later review by multiple
10 independent scientists, including EPA SAP members, confirmed the presence of a tumor in
11 control animal No. 1028.

12 **REQUEST NO. 27:** Admit that EPA's scientists initially classified glyphosate as a Group C
13 oncogenic compound in 1985.

14 **RESPONSE TO REQUEST NO. 27:** Monsanto incorporates by reference General
15 Objections 1-5 here as if restated in full. Monsanto objects to the phrase "EPA's scientists
16 initially classified" as vague, ambiguous, and lacking specificity, including because classification
17 is a regulatory action or decision, not an EPA scientist action or decision. **DENIED.**

18 **REQUEST NO. 28:** Admit that POEA is a surfactant used in Roundup formulations sold in the
19 United States.

20 **RESPONSE TO REQUEST NO. 28:** Monsanto incorporates by reference General
21 Objections 1-5 here as if restated in full. Monsanto objects to the phrase "Roundup
22 formulations" as vague because there have been and are a significant number of "Roundup
23 formulations" used at different times. Monsanto further objects to this Request as compound
24 because POEA is not a single surfactant, it is a class of surfactants related to Alkyl Amine
25 Polyalkoxylates. Notwithstanding Monsanto's objections, Monsanto **ADMITS** that some
26

1 surfactants within the POEA class are used in certain glyphosate-based formulations that are sold
2 in the United States.

3 **REQUEST NO. 29:** Admit that POEA use has been restricted in Europe.

4 **RESPONSE TO REQUEST NO. 29:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto further objects to this Request as compound
6 because POEA is not a single surfactant. Monsanto objects to the term “restricted” as vague,
7 ambiguous, and lacking specificity. Monsanto objects to the term “Europe” as vague because
8 Europe is not a country, but rather a collection of countries that maintain their own sets of laws,
9 rules, or regulations. Notwithstanding Monsanto’s objections, Monsanto **ADMITS** that the
10 European Commission recommended that Member States “ban a co-formulant called POEA-
11 tallowamine from glyphosate based products.” [http://europa.eu/rapid/press-release MEMO-16-](http://europa.eu/rapid/press-release_MEMO-16-2012_en.htm)
12 [2012 en.htm](http://europa.eu/rapid/press-release_MEMO-16-2012_en.htm). The European Commission noted that “it is primarily the responsibility of
13 Member States to decide upon and enforce such measures.” *Id.*

14 **REQUEST NO. 30:** Admit that in 2017, glyphosate was added to the list of chemicals known
15 to the state of California to cause cancer.

16 **RESPONSE TO REQUEST NO. 30:** Monsanto incorporates by reference General
17 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it is not
18 limited to the time period relevant to the issues in this lawsuit. Monsanto objects that this
19 Request addresses irrelevant actions under Proposition 65. Monsanto objects because
20 Proposition 65, if it applies at all, relies on unreliable and inadmissible hearsay statements of
21 IARC. Notwithstanding Monsanto’s objections, Monsanto **ADMITS** that pursuant to the Safe
22 Drinking Water and Toxic Enforcement Act of 1986 (“Proposition 65”), on July 7, 2017, the
23 California Office of Environmental Health Hazard Assessment added glyphosate to the
24 Proposition 65 list of Chemicals Known to the State to Cause Cancer or Reproductive Toxicity
25 based solely on the unreliable and inadmissible hearsay statements of IARC.

26 **REQUEST NO. 31:** Admit that ghostwriting is unethical.

1 **RESPONSE TO REQUEST NO. 31:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
3 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request
4 because the term “ghostwriting” and “unethical” are vague, ambiguous, lack specificity, and
5 subject to various interpretations. Monsanto objects to this Request because the words
6 “ghostwriting” and “unethical,” as used here, do not provide the necessary amount of
7 information or transparency for the reader and is therefore insufficient. Monsanto is unable to
8 respond to the Request at this time. To the extent plaintiffs suggest Monsanto or any of its
9 employees engaged in “ghostwriting,” Monsanto **DENIES** this request. Monsanto otherwise
10 **DENIES** this request.

11 **REQUEST NO. 32:** Admit that ghostwriting is reprehensible.

12 **RESPONSE TO REQUEST NO. 32:** Monsanto incorporates by reference General
13 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
14 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request
15 because the term “ghostwriting” and “reprehensible” are vague, ambiguous, lack specificity, and
16 subject to various interpretations. Monsanto objects to this Request because the words
17 “ghostwriting” and “unethical,” as used here, do not provide the necessary amount of
18 information or transparency for the reader and is therefore insufficient. Monsanto is unable to
19 respond to the Request at this time. To the extent plaintiffs suggest Monsanto or any of its
20 employees engaged in “ghostwriting,” Monsanto **DENIES** this request. Monsanto otherwise
21 **DENIES** this request.

22 **REQUEST NO. 33:** Admit that ghostwriting, as used by Dr. William Heydens at
23 MONGLY02078598, is unethical.

24 **RESPONSE TO REQUEST NO. 33:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
26 cumulative and/or duplicative of discovery already served. Monsanto objects that the reference
27

1 to “ghostwriting” in this Request is incomplete and misrepresents the record. Monsanto objects
2 based on the rule of completeness, and states that this reference to “ghostwriting” must be read in
3 the context of the full cited document. Monsanto objects to this Request because the document
4 speaks for itself. Monsanto objects to this Request because the term “ghostwriting” and
5 “unethical” are vague, ambiguous, lack specificity, and subject to various interpretations.
6 Notwithstanding Monsanto’s objections, Monsanto **DENIES** this request as written.

7 **REQUEST NO. 34:** Admit that ghostwriting, as used by Dr. William Heydens at
8 MONGLY02078598, is reprehensible.

9 **RESPONSE TO REQUEST NO. 34:** Monsanto incorporates by reference General
10 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
11 cumulative and/or duplicative of discovery already served. Monsanto objects that the reference
12 to “ghostwriting” in this Request is incomplete and misrepresents the record. Monsanto objects
13 to this Request because the document speaks for itself. Monsanto objects based on the rule of
14 completeness, and states that this reference to “ghostwriting” must be read in the context of the
15 full cited document. Monsanto objects to this Request because the term “ghostwriting” and
16 “reprehensible” are vague, ambiguous, lack specificity, and subject to various interpretations.
17 Notwithstanding Monsanto’s objections, Monsanto **DENIES** this request as written.

18 **REQUEST NO. 35:** Admit that Monsanto’s Michael Koch stated that an anticipated manuscript
19 concerning glyphosate animal data, following the IARC classification, would “be initiated by
20 MON as ghost writers.” MONGLY01023968.

21 **RESPONSE TO REQUEST NO. 35:** Monsanto incorporates by reference General
22 Objections 1-5 here as if restated in full. Monsanto objects that the quotation in this Request is
23 incomplete and misrepresents the record. Monsanto objects to the partial quotation based on the
24 rule of completeness, and states that this quotation must be read in the context of the full cited
25 document. Monsanto objects to this Request because the document speaks for itself. Monsanto
26 objects to this Request because the phrase “ghost writers” and “anticipated manuscript” are

1 vague, ambiguous, lack specificity, and subject to various interpretations. **DENIED.** Plaintiffs
2 have noticed the deposition of Michael Koch and can ask Mr. Koch about this document at his
3 deposition.

4 **REQUEST NO. 36:** Admit that Monsanto has engaged in ghostwriting as it relates to
5 glyphosate and glyphosate-based formulations.

6 **RESPONSE TO REQUEST NO. 36:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
8 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request
9 because the phrase “has engaged in ghostwriting” and the term “ghostwriting” standing alone are
10 vague, ambiguous, lack specificity, and subject to various interpretations. **DENIED.** There have
11 been no publications in which persons who took responsibility for the totality of a paper and
12 provided a substantial intellectual contribution were excluded from authorship, and no Monsanto
13 authors were included as authors on papers for which they did not take responsibility and/or
14 provide substantial intellectual contributions.

15 **REQUEST NO. 37:** Admit that Monsanto has paid money to steer internet searches to specific
16 news articles.

17 **RESPONSE TO REQUEST NO. 37:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it seeks
19 information that is neither relevant nor proportional to the needs of the case. Monsanto objects
20 to this Request because it is cumulative and/or duplicative of discovery already served, including
21 because plaintiffs are seeking this information in Topic No. 26 (Monsanto’s promotional efforts
22 on the internet, including but not limited to paid searches designed to steer people to specific
23 news articles. This topic includes any and all efforts by Monsanto to target people living in San
24 Francisco and the Bay Area either directly or through an intermediary law firm / company), in
25 their Rule 30(b)(6) Notice of Deposition served on November 9, 2018. Monsanto objects to the
26 phrase “steer internet searches to specific news articles” as vague, ambiguous, and lacking

1 specificity. Monsanto objects to this Request because it is vague, ambiguous, and lacks
2 specificity, including because Monsanto is unable to determine from the Request, which
3 “internet searches” and/or “specific news articles” may be subject to this Request, and/or when,
4 if any, such actions were made or not made, and therefore Monsanto **DENIES** this request as
5 written.

6 **REQUEST NO. 38:** Admit that Monsanto representatives have told people that glyphosate is
7 safe enough to drink.

8 **RESPONSE TO REQUEST NO. 38:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
10 cumulative and/or duplicative of discovery already served. Monsanto objects to the term
11 “representatives” and “people” as vague, ambiguous, and lacking specificity. Monsanto objects
12 to this Request because it is vague, ambiguous, and lacks specificity, including because
13 Monsanto is unable to determine from the Request, which, if any, Monsanto “representatives”
14 may be subject to this Request and/or when any such statements by such unnamed
15 representatives were made, and therefore Monsanto **DENIES** the request as written.

16 **REQUEST NO. 39:** Admit that glyphosate is not safe to drink.

17 **RESPONSE TO REQUEST NO. 39:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
19 cumulative and/or duplicative of discovery already served. Monsanto objects to the term “safe”
20 and “drink” as vague, ambiguous, and subject to various interpretations, including because it
21 does not draw an appropriate comparison between the dose rates required before it is deemed
22 “safe” or “unsafe.” Notwithstanding Monsanto’s objections, Monsanto **ADMITS** that
23 glyphosate is not a beverage intended for human consumption. Monsanto further **ADMITS** that
24 glyphosate is not marketed as a beverage or drink. It is marketed and sold as an herbicide. To
25 the extent plaintiffs suggest that anyone employed by Monsanto stated that glyphosate is safe to
26 drink, Monsanto **DENIES** the requests.

1 **REQUEST NO. 40:** Admit that Monsanto representatives have stated that glyphosate is safer
2 than table salt.

3 **RESPONSE TO REQUEST NO. 40:** Monsanto incorporates by reference General
4 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
5 cumulative and/or duplicative of discovery already served. Monsanto objects to the term
6 “representatives” as vague, ambiguous, and lacking specificity. Monsanto objects to the term
7 “safer” as vague, ambiguous, and subject to various interpretations, including because it does not
8 draw an appropriate comparison between the dose rates required for the two substances before
9 either is deemed “safe” or “unsafe.” Monsanto objects to this Request because it is vague,
10 ambiguous, and lacks specificity, including because Monsanto is unable to determine from the
11 Request, which, if any, Monsanto “representative” may be subject to this Request and/or when
12 any such statements by such unnamed representatives were made, and therefore Monsanto
13 **DENIES** the request as written. Monsanto further states that in the context of describing the
14 LD50 rat study, glyphosate is less acutely toxic than table salt.

15 **REQUEST NO. 41:** Admit that glyphosate is not safer than table salt.

16 **RESPONSE TO REQUEST NO. 41:** Monsanto incorporates by reference General
17 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
18 cumulative and/or duplicative of discovery already served. Monsanto objects to the term “safer”
19 as vague, ambiguous, and subject to various interpretations, including because it does not draw
20 an appropriate comparison between the dose rates required for the two substances before either is
21 deemed “safe” or “unsafe.” **DENIED.** Monsanto further states that in the context of describing
22 the LD50 rat study, glyphosate is less acutely toxic than table salt.

23 **REQUEST NO. 42:** Admit that a Monsanto employee prepared a peer review for an article
24 submitted to a journal related to glyphosate and glyphosate-based formulation, where the
25 involvement of Monsanto was not disclosed to the journal.

1 **RESPONSE TO REQUEST NO. 42:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to the phrase “peer reviewed,”
3 “article,” “journal,” “involvement,” and “not disclosed” as vague, ambiguous and lacking
4 specificity. Monsanto objects to this Request because it is vague, ambiguous, and lacks
5 specificity, including because Monsanto is unable to determine from the Request, which, if any,
6 Monsanto employee may be subject to this Request therefore Monsanto **DENIES** the request as
7 written. To the extent plaintiffs are able to describe with specificity which article they are
8 referring to, Monsanto will endeavor to respond to this Request.

9 **REQUEST NO. 43:** Admit that Aimee Hood exercises and/or exercised substantial
10 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
11 to glyphosate and GBFs.

12 **RESPONSE TO REQUEST NO. 43:** Monsanto incorporates by reference General
13 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
14 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
15 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
16 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
17 Request because it is vague as to time. **DENIED.**

18 **REQUEST NO. 44:** Admit that Andrew Conroy exercises and/or exercised substantial
19 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
20 to glyphosate and GBFs.

21 **RESPONSE TO REQUEST NO. 44:** Monsanto incorporates by reference General
22 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
23 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
24 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
25 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
26 Request because it is vague as to time. **DENIED.**

1 **REQUEST NO. 45:** Admit that Brian Adams exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs.

4 **RESPONSE TO REQUEST NO. 45:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
6 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
7 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
8 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
9 Request because it is vague as to time. **DENIED.**

10 **REQUEST NO. 46:** Admit that Brian Naber exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs.

13 **RESPONSE TO REQUEST NO. 46:** Monsanto incorporates by reference General
14 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
15 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
16 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
17 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
18 Request because it is vague as to time. **DENIED.**

19 **REQUEST NO. 47:** Admit that Bryan Hurley exercises and/or exercised substantial
20 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
21 to glyphosate and GBFs.

22 **RESPONSE TO REQUEST NO. 47:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
24 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
25 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
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1 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
2 Request because it is vague as to time. **DENIED.**

3 **REQUEST NO. 48:** Admit that Christophe Gustin exercises and/or exercised substantial
4 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
5 to glyphosate and GBFs.

6 **RESPONSE TO REQUEST NO. 48:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
8 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
9 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
10 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
11 Request because it is vague as to time. **DENIED.**

12 **REQUEST NO. 49:** Admit that Christophe Gustin exercises and/or exercised substantial
13 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
14 to glyphosate and GBFs.

15 **RESPONSE TO REQUEST NO. 49:** Monsanto incorporates by reference General
16 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
17 for a legal conclusion. Monsanto objects to this Request because it is duplicative of Request No.
18 48. Monsanto objects that the phrase “exercises and/or exercised substantial discretionary
19 authority over decisions that ultimately determined Monsanto’s policies as it relates to
20 glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
21 Request because it is vague as to time. **DENIED.**

22 **REQUEST NO. 50:** Admit that Cole Waggoner exercises and/or exercised substantial
23 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
24 to glyphosate and GBFs.

25 **RESPONSE TO REQUEST NO. 50:** Monsanto incorporates by reference General
26 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls

1 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
4 Request because it is vague as to time. **DENIED.**

5 **REQUEST NO. 51:** Admit that Dan Jenkins exercises and/or exercised substantial
6 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
7 to glyphosate and GBFs.

8 **RESPONSE TO REQUEST NO. 51:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
10 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
13 Request because it is vague as to time. **DENIED.**

14 **REQUEST NO. 52:** Admit that Dan Schulz exercises and/or exercised substantial discretionary
15 authority over decisions that ultimately determined Monsanto’s policies as it relates to
16 glyphosate and GBFs.

17 **RESPONSE TO REQUEST NO. 52:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
19 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
20 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
21 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
22 Request because it is vague as to time. **DENIED.**

23 **REQUEST NO. 53:** Admit that Daniel Goldstein exercises and/or exercised substantial
24 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
25 to glyphosate and GBFs.

1 **RESPONSE TO REQUEST NO. 53:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
3 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
4 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
5 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
6 Request because it is vague as to time. **DENIED.**

7 **REQUEST NO. 54:** Admit that Dave Tornberg exercises and/or exercised substantial
8 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
9 to glyphosate and GBFs.

10 **RESPONSE TO REQUEST NO. 54:** Monsanto incorporates by reference General
11 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
12 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
13 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
14 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
15 Request because it is vague as to time. **DENIED.**

16 **REQUEST NO. 55:** Admit that David Heering exercises and/or exercised substantial
17 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
18 to glyphosate and GBFs.

19 **RESPONSE TO REQUEST NO. 55:** Monsanto incorporates by reference General
20 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
21 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
22 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
23 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
24 Request because it is vague as to time. **DENIED.**

1 **REQUEST NO. 56:** Admit that David Saltmiras exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs.

4 **RESPONSE TO REQUEST NO. 56:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
6 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
7 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
8 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
9 Request because it is vague as to time. **DENIED.**

10 **REQUEST NO. 57:** Admit that Dawn Fee-White exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs.

13 **RESPONSE TO REQUEST NO. 57:** Monsanto incorporates by reference General
14 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
15 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
16 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
17 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
18 Request because it is vague as to time. **DENIED.**

19 **REQUEST NO. 58:** Admit that Donna Farmer exercises and/or exercised substantial
20 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
21 to glyphosate and GBFs.

22 **RESPONSE TO REQUEST NO. 58:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
24 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
25 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
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1 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
2 Request because it is vague as to time. **DENIED.**

3 **REQUEST NO. 59:** Admit that Elizabeth Brand exercises and/or exercised substantial
4 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
5 to glyphosate and GBFs.

6 **RESPONSE TO REQUEST NO. 59:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
8 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
9 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
10 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
11 Request because it is vague as to time. **DENIED.**

12 **REQUEST NO. 60:** Admit that Eric Haupfear exercises and/or exercised substantial
13 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
14 to glyphosate and GBFs.

15 **RESPONSE TO REQUEST NO. 60:** Monsanto incorporates by reference General
16 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
17 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
18 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
19 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
20 Request because it is vague as to time. **DENIED.**

21 **REQUEST NO. 61:** Admit that Eric Sachs exercises and/or exercised substantial discretionary
22 authority over decisions that ultimately determined Monsanto’s policies as it relates to
23 glyphosate and GBFs.

24 **RESPONSE TO REQUEST NO. 61:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
26 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
27

1 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
2 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
3 Request because it is vague as to time. **DENIED.**

4 **REQUEST NO. 62:** Admit that Erin Ahlers exercises and/or exercised substantial discretionary
5 authority over decisions that ultimately determined Monsanto’s policies as it relates to
6 glyphosate and GBFs.

7 **RESPONSE TO REQUEST NO. 62:** Monsanto incorporates by reference General
8 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
9 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
10 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
11 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
12 Request because it is vague as to time. **DENIED.**

13 **REQUEST NO. 63:** Admit that George Gough exercises and/or exercised substantial
14 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
15 to glyphosate and GBFs.

16 **RESPONSE TO REQUEST NO. 63:** Monsanto incorporates by reference General
17 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
18 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
19 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
20 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
21 Request because it is vague as to time. **DENIED.**

22 **REQUEST NO. 64:** Admit that Jack Conroy exercises and/or exercised substantial
23 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
24 to glyphosate and GBFs.

25 **RESPONSE TO REQUEST NO. 64:** Monsanto incorporates by reference General
26 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls

1 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
4 Request because it is vague as to time. **DENIED.**

5 **REQUEST NO. 65:** Admit that Jack Hardy exercises and/or exercised substantial discretionary
6 authority over decisions that ultimately determined Monsanto’s policies as it relates to
7 glyphosate and GBFs.

8 **RESPONSE TO REQUEST NO. 65:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
10 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
13 Request because it is vague as to time. **DENIED.**

14 **REQUEST NO. 66:** Admit that Jeremy Stump exercises and/or exercised substantial
15 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
16 to glyphosate and GBFs.

17 **RESPONSE TO REQUEST NO. 66:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
19 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
20 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
21 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
22 Request because it is vague as to time. **DENIED.**

23 **REQUEST NO. 67:** Admit that Jim Guard exercises and/or exercised substantial discretionary
24 authority over decisions that ultimately determined Monsanto’s policies as it relates to
25 glyphosate and GBFs.

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RESPONSE TO REQUEST NO. 67: Monsanto incorporates by reference General Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this Request because it is vague as to time. **DENIED.**

REQUEST NO. 68: Admit that Jim Tobin exercises and/or exercised substantial discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates to glyphosate and GBFs.

RESPONSE TO REQUEST NO. 68: Monsanto incorporates by reference General Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this Request because it is vague as to time. **DENIED.**

REQUEST NO. 69: Admit that Jim Zimmer exercises and/or exercised substantial discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates to glyphosate and GBFs.

RESPONSE TO REQUEST NO. 69: Monsanto incorporates by reference General Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this Request because it is vague as to time. **DENIED.**

1 **REQUEST NO. 70:** Admit that Joel Kronenberg exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs.

4 **RESPONSE TO REQUEST NO. 70:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
6 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
7 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
8 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
9 Request because it is vague as to time. **DENIED.**

10 **REQUEST NO. 71:** Admit that John Acquavella exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs.

13 **RESPONSE TO REQUEST NO. 71:** Monsanto incorporates by reference General
14 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
15 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
16 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
17 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
18 Request because it is vague as to time. **DENIED.**

19 **REQUEST NO. 72:** Admit that Julio Negreli exercises and/or exercised substantial
20 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
21 to glyphosate and GBFs.

22 **RESPONSE TO REQUEST NO. 72:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
24 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
25 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
26

1 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
2 Request because it is vague as to time. **DENIED.**

3 **REQUEST NO. 73:** Admit that Katherine Carr exercises and/or exercised substantial
4 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
5 to glyphosate and GBFs.

6 **RESPONSE TO REQUEST NO. 73:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
8 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
9 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
10 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
11 Request because it is vague as to time. **DENIED.**

12 **REQUEST NO. 74:** Admit that Kerry Overton exercises and/or exercised substantial
13 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
14 to glyphosate and GBFs.

15 **RESPONSE TO REQUEST NO. 74:** Monsanto incorporates by reference General
16 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
17 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
18 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
19 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
20 Request because it is vague as to time. **DENIED.**

21 **REQUEST NO. 75:** Admit that Kerry Preete exercises and/or exercised substantial
22 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
23 to glyphosate and GBFs.

24 **RESPONSE TO REQUEST NO. 75:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
26 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
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1 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
2 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
3 Request because it is vague as to time. **DENIED.**

4 **REQUEST NO. 76:** Admit that Kevin Holloway exercises and/or exercised substantial
5 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
6 to glyphosate and GBFs.

7 **RESPONSE TO REQUEST NO. 76:** Monsanto incorporates by reference General
8 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
9 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
10 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
11 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
12 Request because it is vague as to time. **DENIED.**

13 **REQUEST NO. 77:** Admit that Maggie Morris exercises and/or exercised substantial
14 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
15 to glyphosate and GBFs.

16 **RESPONSE TO REQUEST NO. 77:** Monsanto incorporates by reference General
17 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
18 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
19 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
20 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
21 Request because it is vague as to time. **DENIED.**

22 **REQUEST NO. 78:** Admit that Marian Bleeke exercises and/or exercised substantial
23 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
24 to glyphosate and GBFs.

25 **RESPONSE TO REQUEST NO. 78:** Monsanto incorporates by reference General
26 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls

1 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
4 Request because it is vague as to time. **DENIED.**

5 **REQUEST NO. 79:** Admit that Mark Martens exercises and/or exercised substantial
6 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
7 to glyphosate and GBFs.

8 **RESPONSE TO REQUEST NO. 79:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
10 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
13 Request because it is vague as to time. **DENIED.**

14 **REQUEST NO. 80:** Admit that Matt Helms exercises and/or exercised substantial discretionary
15 authority over decisions that ultimately determined Monsanto’s policies as it relates to
16 glyphosate and GBFs.

17 **RESPONSE TO REQUEST NO. 80:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
19 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
20 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
21 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
22 Request because it is vague as to time. **DENIED.**

23 **REQUEST NO. 81:** Admit that Melissa Duncan exercises and/or exercised substantial
24 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
25 to glyphosate and GBFs.

1 **RESPONSE TO REQUEST NO. 81:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
3 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
4 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
5 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
6 Request because it is vague as to time. **DENIED.**

7 **REQUEST NO. 82:** Admit that Michael Koch exercises and/or exercised substantial
8 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
9 to glyphosate and GBFs.

10 **RESPONSE TO REQUEST NO. 82:** Monsanto incorporates by reference General
11 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
12 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
13 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
14 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
15 Request because it is vague as to time. **DENIED.**

16 **REQUEST NO. 83:** Admit that Mike Demarco exercises and/or exercised substantial
17 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
18 to glyphosate and GBFs.

19 **RESPONSE TO REQUEST NO. 83:** Monsanto incorporates by reference General
20 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
21 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
22 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
23 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
24 Request because it is vague as to time. **DENIED.**

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1 **REQUEST NO. 84:** Admit that Mike Hilton exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs.

4 **RESPONSE TO REQUEST NO. 84:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
6 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
7 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
8 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
9 Request because it is vague as to time. **DENIED.**

10 **REQUEST NO. 85:** Admit that Myron Richardson exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs.

13 **RESPONSE TO REQUEST NO. 85:** Monsanto incorporates by reference General
14 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
15 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
16 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
17 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
18 Request because it is vague as to time. **DENIED.**

19 **REQUEST NO. 86:** Admit that Ona Maun exercises and/or exercised substantial discretionary
20 authority over decisions that ultimately determined Monsanto’s policies as it relates to
21 glyphosate and GBFs.

22 **RESPONSE TO REQUEST NO. 86:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
24 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
25 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
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1 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
2 Request because it is vague as to time. **DENIED.**

3 **REQUEST NO. 87:** Admit that Palrick Quinn exercises and/or exercised substantial
4 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
5 to glyphosate and GBFs.

6 **RESPONSE TO REQUEST NO. 87:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
8 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
9 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
10 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
11 Request because it is vague as to time. **DENIED.**

12 **REQUEST NO. 88:** Admit that Pam Strifler exercises and/or exercised substantial
13 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
14 to glyphosate and GBFs.

15 **RESPONSE TO REQUEST NO. 88:** Monsanto incorporates by reference General
16 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
17 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
18 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
19 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
20 Request because it is vague as to time. **DENIED.**

21 **REQUEST NO. 89:** Admit that Paul Downs exercises and/or exercised substantial
22 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
23 to glyphosate and GBFs.

24 **RESPONSE TO REQUEST NO. 89:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
26 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
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1 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
2 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
3 Request because it is vague as to time. **DENIED.**

4 **REQUEST NO. 90:** Admit that Paul Ratcliff exercises and/or exercised substantial
5 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
6 to glyphosate and GBFs.

7 **RESPONSE TO REQUEST NO. 90:** Monsanto incorporates by reference General
8 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
9 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
10 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
11 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
12 Request because it is vague as to time. **DENIED.**

13 **REQUEST NO. 91:** Admit that Richard Dirks exercises and/or exercised substantial
14 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
15 to glyphosate and GBFs.

16 **RESPONSE TO REQUEST NO. 91:** Monsanto incorporates by reference General
17 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
18 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
19 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
20 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
21 Request because it is vague as to time. **DENIED.**

22 **REQUEST NO. 92:** Admit that Richard Garnett exercises and/or exercised substantial
23 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
24 to glyphosate and GBFs.

25 **RESPONSE TO REQUEST NO. 92:** Monsanto incorporates by reference General
26 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls

1 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
4 Request because it is vague as to time. **DENIED.**

5 **REQUEST NO. 93:** Admit that Robb Fraley exercises and/or exercised substantial
6 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
7 to glyphosate and GBFs.

8 **RESPONSE TO REQUEST NO. 93:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
10 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
13 Request because it is vague as to time. **DENIED.**

14 **REQUEST NO. 94:** Admit that Robert McCarroll exercises and/or exercised substantial
15 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
16 to glyphosate and GBFs.

17 **RESPONSE TO REQUEST NO. 94:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
19 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
20 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
21 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
22 Request because it is vague as to time. **DENIED.**

23 **REQUEST NO. 95:** Admit that Scott Kuschmider exercises and/or exercised substantial
24 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
25 to glyphosate and GBFs.

1 **RESPONSE TO REQUEST NO. 95:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
3 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
4 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
5 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
6 Request because it is vague as to time. **DENIED.**

7 **REQUEST NO. 96:** Admit that Scott Partridge exercises and/or exercised substantial
8 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
9 to glyphosate and GBFs.

10 **RESPONSE TO REQUEST NO. 96:** Monsanto incorporates by reference General
11 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
12 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
13 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
14 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
15 Request because it is vague as to time. **DENIED.**

16 **REQUEST NO. 97:** Admit that Steve Adams exercises and/or exercised substantial
17 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
18 to glyphosate and GBFs.

19 **RESPONSE TO REQUEST NO. 97:** Monsanto incorporates by reference General
20 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
21 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
22 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
23 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
24 Request because it is vague as to time. **DENIED.**

1 **REQUEST NO. 98:** Admit that Steven Gould exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs.

4 **RESPONSE TO REQUEST NO. 98:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
6 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
7 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
8 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
9 Request because it is vague as to time. **DENIED.**

10 **REQUEST NO. 99:** Admit that Steven Levine exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs.

13 **RESPONSE TO REQUEST NO. 99:** Monsanto incorporates by reference General
14 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
15 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
16 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
17 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
18 Request because it is vague as to time. **DENIED.**

19 **REQUEST NO. 100:** Admit that Susan Martino-Catt exercises and/or exercised substantial
20 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
21 to glyphosate and GBFs.

22 **RESPONSE TO REQUEST NO. 100:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
24 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
25 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
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1 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
2 Request because it is vague as to time. **DENIED.**

3 **REQUEST NO. 101:** Admit that Tim Ford exercises and/or exercised substantial discretionary
4 authority over decisions that ultimately determined Monsanto’s policies as it relates to
5 glyphosate and GBFs.

6 **RESPONSE TO REQUEST NO. 101:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
8 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
9 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
10 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
11 Request because it is vague as to time. **DENIED.**

12 **REQUEST NO. 102:** Admit that Timothy Long exercises and/or exercised substantial
13 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
14 to glyphosate and GBFs.

15 **RESPONSE TO REQUEST NO. 102:** Monsanto incorporates by reference General
16 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
17 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
18 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
19 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
20 Request because it is vague as to time. **DENIED.**

21 **REQUEST NO. 103:** Admit that Todd Rands exercises and/or exercised substantial
22 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
23 to glyphosate and GBFs.

24 **RESPONSE TO REQUEST NO. 103:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
26 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
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1 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
2 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
3 Request because it is vague as to time. **DENIED.**

4 **REQUEST NO. 104:** Admit that Tom Wilson exercises and/or exercised substantial
5 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
6 to glyphosate and GBFs.

7 **RESPONSE TO REQUEST NO. 104:** Monsanto incorporates by reference General
8 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
9 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
10 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
11 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
12 Request because it is vague as to time. **DENIED.**

13 **REQUEST NO. 105:** Admit that Tony Leisure exercises and/or exercised substantial
14 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
15 to glyphosate and GBFs.

16 **RESPONSE TO REQUEST NO. 105:** Monsanto incorporates by reference General
17 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
18 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
19 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
20 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
21 Request because it is vague as to time. **DENIED.**

22 **REQUEST NO. 106:** Admit that Vincent Leopold exercises and/or exercised substantial
23 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
24 to glyphosate and GBFs.

25 **RESPONSE TO REQUEST NO. 106:** Monsanto incorporates by reference General
26 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls

1 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
2 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
3 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
4 Request because it is vague as to time. **DENIED.**

5 **REQUEST NO. 107:** Admit that William Heydens exercises and/or exercised substantial
6 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
7 to glyphosate and GBFs.

8 **RESPONSE TO REQUEST NO. 107:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request to the extent it calls
10 for a legal conclusion. Monsanto objects that the phrase “exercises and/or exercised substantial
11 discretionary authority over decisions that ultimately determined Monsanto’s policies as it relates
12 to glyphosate and GBFs” is vague, ambiguous, and lacks specificity. Monsanto objects to this
13 Request because it is vague as to time. **DENIED.**

14 **REQUEST NO. 108:** Admit that Monsanto manufactures or has manufactured dicamba.

15 **RESPONSE TO REQUEST NO. 108:** Monsanto incorporates by reference General
16 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
17 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
18 irrelevant to the issues in this case including because dicamba is a non-glyphosate containing
19 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide dicamba
20 is irrelevant to the matters before the Court, exceeds the bounds of permissible discovery and is
21 not proportional to the needs of the case. Monsanto also objects to the extent the Request seeks
22 information regarding Monsanto products used or sold outside the United States because such
23 information is not relevant, not proportional to the needs of this case, and unduly cumulative and
24 burdensome; there are no allegations that plaintiffs were exposed to or purchased glyphosate-
25 containing products outside of the United States, and plaintiffs have already completed extensive
26 discovery regarding Monsanto products (including their ingredients) sold in the United States

1 such that further discovery into non-glyphosate containing herbicides would be unduly
2 cumulative and burdensome.

3 **REQUEST NO. 109:** Admit that Monsanto has sold or manufactured products containing
4 dicamba.

5 **RESPONSE TO REQUEST NO. 109:** Monsanto incorporates by reference General
6 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
7 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
8 irrelevant to the issues in this case including because dicamba is a non-glyphosate containing
9 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
10 containing the herbicide dicamba is irrelevant to the matters before the Court, exceeds the
11 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
12 objects to the extent the Request seeks information regarding Monsanto products used or sold
13 outside the United States because such information is not relevant, not proportional to the needs
14 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
15 exposed to or purchased glyphosate-containing products outside of the United States, and
16 plaintiffs have already completed extensive discovery regarding Monsanto products (including
17 their ingredients) sold in the United States such that further discovery into non-glyphosate
18 containing herbicides would be unduly cumulative and burdensome.

19 **REQUEST NO. 110:** Admit that dicamba potentiates NHL.

20 **RESPONSE TO REQUEST NO. 110:** Monsanto incorporates by reference General
21 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
22 cumulative and/or duplicative of discovery already served. Monsanto incorporates by reference
23 its General Objections here as if restated in full. Monsanto objects to this Request as irrelevant to
24 the issues in this case including because Dicamba is a non-glyphosate containing herbicide.
25 Monsanto objects to this Request because the herbicide Dicamba is irrelevant to the matters
26 before the Court, exceeds the bounds of permissible discovery and is not proportional to the

1 needs of the case. Monsanto objects to the extent the Request seeks information regarding
2 Monsanto products used or sold outside the United States because such information is not
3 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
4 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
5 outside of the United States, and plaintiffs have already completed extensive discovery regarding
6 Monsanto products (including their ingredients) sold in the United States such that further
7 discovery into non-glyphosate containing herbicides would be unduly cumulative and
8 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
9 proper inquiry for a Request for Admission.

10 **REQUEST NO. 111:** Admit that dicamba does not potentiate NHL.

11 **RESPONSE TO REQUEST NO. 111:** Monsanto incorporates by reference General
12 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
13 cumulative and/or duplicative of discovery already served. Monsanto incorporates by reference
14 its General Objections here as if restated in full. Monsanto objects to this Request as irrelevant to
15 the issues in this case including because dicamba is a non-glyphosate containing herbicide.
16 Monsanto objects to this Request because the herbicide dicamba is irrelevant to the matters
17 before the Court, exceeds the bounds of permissible discovery and is not proportional to the
18 needs of the case. Monsanto objects to the extent the Request seeks information regarding
19 Monsanto products used or sold outside the United States because such information is not
20 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
21 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
22 outside of the United States, and plaintiffs have already completed extensive discovery regarding
23 Monsanto products (including their ingredients) sold in the United States such that further
24 discovery into non-glyphosate containing herbicides would be unduly cumulative and
25 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
26 proper inquiry for a Request for Admission.

1 **REQUEST NO. 112:** Admit that Monsanto manufactures or has manufactured 2,4-D.

2 **RESPONSE TO REQUEST NO. 112:** Monsanto incorporates by reference General
3 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
4 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
5 irrelevant to the issues in this case including because 2,4-D is a non-glyphosate containing
6 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide 2,4-D is
7 irrelevant to the matters before the Court, exceeds the bounds of permissible discovery and is not
8 proportional to the needs of the case. Monsanto also objects to the extent the Request seeks
9 information regarding Monsanto products used or sold outside the United States because such
10 information is not relevant, not proportional to the needs of this case, and unduly cumulative and
11 burdensome; there are no allegations that plaintiffs were exposed to or purchased glyphosate-
12 containing products outside of the United States, and plaintiffs have already completed extensive
13 discovery regarding Monsanto products (including their ingredients) sold in the United States
14 such that further discovery into non-glyphosate containing herbicides would be unduly
15 cumulative and burdensome.

16 **REQUEST NO. 113:** Admit that Monsanto has sold or manufactured products containing 2,4-
17 D.

18 **RESPONSE TO REQUEST NO. 113:** Monsanto incorporates by reference General
19 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
20 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
21 irrelevant to the issues in this case including because 2,4-D is a non-glyphosate containing
22 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
23 containing the herbicide 2,4-D is irrelevant to the matters before the Court, exceeds the bounds
24 of permissible discovery and is not proportional to the needs of the case. Monsanto also objects
25 to the extent the Request seeks information regarding Monsanto products used or sold outside the
26 United States because such information is not relevant, not proportional to the needs of this case,
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1 and unduly cumulative and burdensome; there are no allegations that plaintiffs were exposed to
2 or purchased glyphosate-containing products outside of the United States, and plaintiffs have
3 already completed extensive discovery regarding Monsanto products (including their
4 ingredients) sold in the United States such that further discovery into non-glyphosate containing
5 herbicides would be unduly cumulative and burdensome.

6 **REQUEST NO. 114:** Admit that 2,4-D potentiates NHL.

7 **RESPONSE TO REQUEST NO. 114:** Monsanto incorporates by reference General
8 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
9 cumulative and/or duplicative of discovery already served. Monsanto incorporates by reference
10 its General Objections here as if restated in full. Monsanto objects to this Request as irrelevant to
11 the issues in this case including because 2,4-D is a non-glyphosate containing herbicide.
12 Monsanto objects to this Request because the herbicide 2,4-D is irrelevant to the matters before
13 the Court, exceeds the bounds of permissible discovery and is not proportional to the needs of
14 the case. Monsanto objects to the extent the Request seeks information regarding Monsanto
15 products used or sold outside the United States because such information is not relevant, not
16 proportional to the needs of this case, and unduly cumulative and burdensome; there are no
17 allegations that plaintiffs were exposed to or purchased glyphosate-containing products outside
18 of the United States, and plaintiffs have already completed extensive discovery regarding
19 Monsanto products (including their ingredients) sold in the United States such that further
20 discovery into non-glyphosate containing herbicides would be unduly cumulative and
21 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
22 proper inquiry for a Request for Admission.

23 **REQUEST NO. 115:** Admit that 2,4-D does not potentiate NHL.

24 **RESPONSE TO REQUEST NO. 115:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
26 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
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1 irrelevant to the issues in this case including because 2,4-D is a non-glyphosate containing
2 herbicide. Monsanto objects to this Request because the herbicide 2,4-D is irrelevant to the
3 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
4 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
5 Monsanto products used or sold outside the United States because such information is not
6 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
7 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
8 outside of the United States, and plaintiffs have already completed extensive discovery regarding
9 Monsanto products (including their ingredients) sold in the United States such that further
10 discovery into non-glyphosate containing herbicides would be unduly cumulative and
11 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
12 proper inquiry for a Request for Admission.

13 **REQUEST NO. 116:** Admit that Monsanto manufactures or has manufactured Malathion.

14 **RESPONSE TO REQUEST NO. 116:** Monsanto incorporates by reference General
15 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
16 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
17 irrelevant to the issues in this case including because Malathion is a non-glyphosate containing
18 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide
19 Malathion is irrelevant to the matters before the Court, exceeds the bounds of permissible
20 discovery and is not proportional to the needs of the case. Monsanto also objects to the extent the
21 Request seeks information regarding Monsanto products used or sold outside the United States
22 because such information is not relevant, not proportional to the needs of this case, and unduly
23 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
24 glyphosate-containing products outside of the United States, and plaintiffs have already
25 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
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1 the United States such that further discovery into non-glyphosate containing herbicides would be
2 unduly cumulative and burdensome.

3 **REQUEST NO. 117:** Admit that Monsanto has sold or manufactured products containing
4 Malathion.

5 **RESPONSE TO REQUEST NO. 117:** Monsanto incorporates by reference General
6 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
7 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
8 irrelevant to the issues in this case including because Malathion is a non-glyphosate containing
9 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
10 containing the herbicide Malathion is irrelevant to the matters before the Court, exceeds the
11 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
12 objects to the extent the Request seeks information regarding Monsanto products used or sold
13 outside the United States because such information is not relevant, not proportional to the needs
14 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
15 exposed to or purchased glyphosate-containing products outside of the United States, and
16 plaintiffs have already completed extensive discovery regarding Monsanto products (including
17 their ingredients) sold in the United States such that further discovery into non-glyphosate
18 containing herbicides would be unduly cumulative and burdensome.

19 **REQUEST NO. 118:** Admit that Malathion potentiates NHL.

20 **RESPONSE TO REQUEST NO. 118:** Monsanto incorporates by reference General
21 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
22 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
23 irrelevant to the issues in this case including because Malathion is a non-glyphosate containing
24 herbicide. Monsanto objects to this Request because the herbicide Malathion is irrelevant to the
25 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
26 the needs of the case. Monsanto objects to the extent the Request seeks information regarding

1 Monsanto products used or sold outside the United States because such information is not
2 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
3 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
4 outside of the United States, and plaintiffs have already completed extensive discovery regarding
5 Monsanto products (including their ingredients) sold in the United States such that further
6 discovery into non-glyphosate containing herbicides would be unduly cumulative and
7 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
8 proper inquiry for a Request for Admission.

9 **REQUEST NO. 119:** Admit that Malathion does not potentiate NHL.

10 **RESPONSE TO REQUEST NO. 119:** Monsanto incorporates by reference General
11 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
12 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
13 irrelevant to the issues in this case including because Malathion is a non-glyphosate containing
14 herbicide. Monsanto objects to this Request because the herbicide Malathion is irrelevant to the
15 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
16 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
17 Monsanto products used or sold outside the United States because such information is not
18 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
19 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
20 outside of the United States, and plaintiffs have already completed extensive discovery regarding
21 Monsanto products (including their ingredients) sold in the United States such that further
22 discovery into non-glyphosate containing herbicides would be unduly cumulative and
23 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
24 proper inquiry for a Request for Admission.

25 **REQUEST NO. 120:** Admit that Monsanto manufactures or has manufactured Alachlor.
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1 **RESPONSE TO REQUEST NO. 120:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
3 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
4 irrelevant to the issues in this case including because Alachlor is a non-glyphosate containing
5 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide Alachlor
6 is irrelevant to the matters before the Court, exceeds the bounds of permissible discovery and is
7 not proportional to the needs of the case. Monsanto also objects to the extent the Request seeks
8 information regarding Monsanto products used or sold outside the United States because such
9 information is not relevant, not proportional to the needs of this case, and unduly cumulative and
10 burdensome; there are no allegations that plaintiffs were exposed to or purchased glyphosate-
11 containing products outside of the United States, and plaintiffs have already completed extensive
12 discovery regarding Monsanto products (including their ingredients) sold in the United States
13 such that further discovery into non-glyphosate containing herbicides would be unduly
14 cumulative and burdensome.

15 **REQUEST NO. 121:** Admit that Monsanto has sold or manufactured products containing
16 Alachlor.

17 **RESPONSE TO REQUEST NO. 121:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
19 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
20 irrelevant to the issues in this case including because Alachlor is a non-glyphosate containing
21 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
22 containing the herbicide Alachlor is irrelevant to the matters before the Court, exceeds the
23 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
24 objects to the extent the Request seeks information regarding Monsanto products used or sold
25 outside the United States because such information is not relevant, not proportional to the needs
26 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
27

1 exposed to or purchased glyphosate-containing products outside of the United States, and
2 plaintiffs have already completed extensive discovery regarding Monsanto products (including
3 their ingredients) sold in the United States such that further discovery into non-glyphosate
4 containing herbicides would be unduly cumulative and burdensome.

5 **REQUEST NO. 122:** Admit that Alachlor potentiates NHL.

6 **RESPONSE TO REQUEST NO. 122:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
8 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
9 irrelevant to the issues in this case including because Alachlor is a non-glyphosate containing
10 herbicide. Monsanto objects to this Request because the herbicide Alachlor is irrelevant to the
11 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
12 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
13 Monsanto products used or sold outside the United States because such information is not
14 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
15 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
16 outside of the United States, and plaintiffs have already completed extensive discovery regarding
17 Monsanto products (including their ingredients) sold in the United States such that further
18 discovery into non-glyphosate containing herbicides would be unduly cumulative and
19 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
20 proper inquiry for a Request for Admission.

21 **REQUEST NO. 123:** Admit that Alachlor does not potentiate NHL.

22 **RESPONSE TO REQUEST NO. 123:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
24 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
25 irrelevant to the issues in this case including because Alachlor is a non-glyphosate containing
26 herbicide. Monsanto objects to this Request because the herbicide Alachlor is irrelevant to the

1 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
2 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
3 Monsanto products used or sold outside the United States because such information is not
4 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
5 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
6 outside of the United States, and plaintiffs have already completed extensive discovery regarding
7 Monsanto products (including their ingredients) sold in the United States such that further
8 discovery into non-glyphosate containing herbicides would be unduly cumulative and
9 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
10 proper inquiry for a Request for Admission.

11 **REQUEST NO. 124:** Admit that Monsanto manufactures or has manufactured Atrazine.

12 **RESPONSE TO REQUEST NO. 124:** Monsanto incorporates by reference General
13 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
14 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
15 irrelevant to the issues in this case including because Atrazine is a non-glyphosate containing
16 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide Atrazine
17 is irrelevant to the matters before the Court, exceeds the bounds of permissible discovery and is
18 not proportional to the needs of the case. Monsanto also objects to the extent the Request seeks
19 information regarding Monsanto products used or sold outside the United States because such
20 information is not relevant, not proportional to the needs of this case, and unduly cumulative and
21 burdensome; there are no allegations that plaintiffs were exposed to or purchased glyphosate-
22 containing products outside of the United States, and plaintiffs have already completed extensive
23 discovery regarding Monsanto products (including their ingredients) sold in the United States
24 such that further discovery into non-glyphosate containing herbicides would be unduly
25 cumulative and burdensome.

1 **REQUEST NO. 125:** Admit that Monsanto has sold or manufactured products containing
2 Atrazine.

3 **RESPONSE TO REQUEST NO. 125:** Monsanto incorporates by reference General
4 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
5 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
6 irrelevant to the issues in this case including because Atrazine is a non-glyphosate containing
7 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
8 containing the herbicide Atrazine is irrelevant to the matters before the Court, exceeds the
9 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
10 objects to the extent the Request seeks information regarding Monsanto products used or sold
11 outside the United States because such information is not relevant, not proportional to the needs
12 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
13 exposed to or purchased glyphosate-containing products outside of the United States, and
14 plaintiffs have already completed extensive discovery regarding Monsanto products (including
15 their ingredients) sold in the United States such that further discovery into non-glyphosate
16 containing herbicides would be unduly cumulative and burdensome.

17 **REQUEST NO. 126:** Admit that Atrazine potentiates NHL.

18 **RESPONSE TO REQUEST NO. 126:** Monsanto incorporates by reference General
19 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
20 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
21 irrelevant to the issues in this case including because Atrazine is a non-glyphosate containing
22 herbicide. Monsanto objects to this Request because the herbicide Atrazine is irrelevant to the
23 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
24 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
25 Monsanto products used or sold outside the United States because such information is not
26 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there

1 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
2 outside of the United States, and plaintiffs have already completed extensive discovery regarding
3 Monsanto products (including their ingredients) sold in the United States such that further
4 discovery into non-glyphosate containing herbicides would be unduly cumulative and
5 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
6 proper inquiry for a Request for Admission.

7 **REQUEST NO. 127:** Admit that Atrazine does not potentiate NHL.

8 **RESPONSE TO REQUEST NO. 127:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
10 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
11 irrelevant to the issues in this case including because Atrazine is a non-glyphosate containing
12 herbicide. Monsanto objects to this Request because the herbicide Atrazine is irrelevant to the
13 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
14 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
15 Monsanto products used or sold outside the United States because such information is not
16 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
17 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
18 outside of the United States, and plaintiffs have already completed extensive discovery regarding
19 Monsanto products (including their ingredients) sold in the United States such that further
20 discovery into non-glyphosate containing herbicides would be unduly cumulative and
21 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
22 proper inquiry for a Request for Admission.

23 **REQUEST NO. 128:** Admit that Monsanto manufactures or has manufactured Metolachlor.

24 **RESPONSE TO REQUEST NO. 128:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
26 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
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1 irrelevant to the issues in this case including because Metolachlor is a non-glyphosate containing
2 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide
3 Metolachlor is irrelevant to the matters before the Court, exceeds the bounds of permissible
4 discovery and is not proportional to the needs of the case. Monsanto also objects to the extent the
5 Request seeks information regarding Monsanto products used or sold outside the United States
6 because such information is not relevant, not proportional to the needs of this case, and unduly
7 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
8 glyphosate-containing products outside of the United States, and plaintiffs have already
9 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
10 the United States such that further discovery into non-glyphosate containing herbicides would be
11 unduly cumulative and burdensome.

12 **REQUEST NO. 129:** Admit that Monsanto has sold or manufactured products containing
13 Metolachlor.

14 **RESPONSE TO REQUEST NO. 129:** Monsanto incorporates by reference General
15 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
16 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
17 irrelevant to the issues in this case including because Metoachlor is a non-glyphosate containing
18 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
19 containing the herbicide Metolachlor is irrelevant to the matters before the Court, exceeds the
20 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
21 objects to the extent the Request seeks information regarding Monsanto products used or sold
22 outside the United States because such information is not relevant, not proportional to the needs
23 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
24 exposed to or purchased glyphosate-containing products outside of the United States, and
25 plaintiffs have already completed extensive discovery regarding Monsanto products (including
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1 their ingredients) sold in the United States such that further discovery into non-glyphosate
2 containing herbicides would be unduly cumulative and burdensome.

3 **REQUEST NO. 130:** Admit that Metolachlor potentiates NHL.

4 **RESPONSE TO REQUEST NO. 130:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
6 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
7 irrelevant to the issues in this case including because Metolachlor is a non-glyphosate containing
8 herbicide. Monsanto objects to this Request because the herbicide Metolachlor is irrelevant to
9 the matters before the Court, exceeds the bounds of permissible discovery and is not proportional
10 to the needs of the case. Monsanto objects to the extent the Request seeks information regarding
11 Monsanto products used or sold outside the United States because such information is not
12 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
13 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
14 outside of the United States, and plaintiffs have already completed extensive discovery regarding
15 Monsanto products (including their ingredients) sold in the United States such that further
16 discovery into non-glyphosate containing herbicides would be unduly cumulative and
17 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
18 proper inquiry for a Request for Admission.

19 **REQUEST NO. 131:** Admit that Metolachlor does not potentiate NHL.

20 **RESPONSE TO REQUEST NO. 131:** Monsanto incorporates by reference General
21 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
22 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
23 irrelevant to the issues in this case including because Metolachlor is a non-glyphosate containing
24 herbicide. Monsanto objects to this Request because the herbicide Metolachlor is irrelevant to
25 the matters before the Court, exceeds the bounds of permissible discovery and is not proportional
26 to the needs of the case. Monsanto objects to the extent the Request seeks information regarding
27

1 Monsanto products used or sold outside the United States because such information is not
2 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
3 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
4 outside of the United States, and plaintiffs have already completed extensive discovery regarding
5 Monsanto products (including their ingredients) sold in the United States such that further
6 discovery into non-glyphosate containing herbicides would be unduly cumulative and
7 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
8 proper inquiry for a Request for Admission.

9 **REQUEST NO. 132:** Admit that Monsanto manufactures or has manufactured Trifluralin.

10 **RESPONSE TO REQUEST NO. 132:** Monsanto incorporates by reference General
11 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
12 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
13 irrelevant to the issues in this case including because Trifluralin is a non-glyphosate containing
14 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide
15 Trifluralin is irrelevant to the matters before the Court, exceeds the bounds of permissible
16 discovery and is not proportional to the needs of the case. Monsanto also objects to the extent the
17 Request seeks information regarding Monsanto products used or sold outside the United States
18 because such information is not relevant, not proportional to the needs of this case, and unduly
19 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
20 glyphosate-containing products outside of the United States, and plaintiffs have already
21 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
22 the United States such that further discovery into non-glyphosate containing herbicides would be
23 unduly cumulative and burdensome.

24 **REQUEST NO. 133:** Admit that Monsanto has sold or manufactured products containing
25 Trifluralin.

1 **RESPONSE TO REQUEST NO. 133:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
3 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
4 irrelevant to the issues in this case including because Trifluralin is a non-glyphosate containing
5 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
6 containing the herbicide Trifluralin is irrelevant to the matters before the Court, exceeds the
7 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
8 objects to the extent the Request seeks information regarding Monsanto products used or sold
9 outside the United States because such information is not relevant, not proportional to the needs
10 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
11 exposed to or purchased glyphosate-containing products outside of the United States, and
12 plaintiffs have already completed extensive discovery regarding Monsanto products (including
13 their ingredients) sold in the United States such that further discovery into non-glyphosate
14 containing herbicides would be unduly cumulative and burdensome.

15 **REQUEST NO. 134:** Admit that Trifluralin potentiates NHL.

16 **RESPONSE TO REQUEST NO. 134:** Monsanto incorporates by reference General
17 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
18 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
19 irrelevant to the issues in this case including because Trifluralin is a non-glyphosate containing
20 herbicide. Monsanto objects to this Request because the herbicide Trifluralin is irrelevant to the
21 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
22 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
23 Monsanto products used or sold outside the United States because such information is not
24 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
25 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
26 outside of the United States, and plaintiffs have already completed extensive discovery regarding

1 Monsanto products (including their ingredients) sold in the United States such that further
2 discovery into non-glyphosate containing herbicides would be unduly cumulative and
3 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
4 proper inquiry for a Request for Admission.

5 **REQUEST NO. 135:** Admit that Trifluralin does not potentiate NHL.

6 **RESPONSE TO REQUEST NO. 135:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
8 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
9 irrelevant to the issues in this case including because Trifluralin is a non-glyphosate containing
10 herbicide. Monsanto objects to this Request because the herbicide Trifluralin is irrelevant to the
11 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
12 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
13 Monsanto products used or sold outside the United States because such information is not
14 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
15 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
16 outside of the United States, and plaintiffs have already completed extensive discovery regarding
17 Monsanto products (including their ingredients) sold in the United States such that further
18 discovery into non-glyphosate containing herbicides would be unduly cumulative and
19 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
20 proper inquiry for a Request for Admission.

21 **REQUEST NO. 136:** Admit that Monsanto manufactures or has manufactured Carbaryl.

22 **RESPONSE TO REQUEST NO. 136:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
24 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
25 irrelevant to the issues in this case including because Carbaryl is a non-glyphosate containing
26 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide Carbaryl

1 is irrelevant to the matters before the Court, exceeds the bounds of permissible discovery and is
2 not proportional to the needs of the case. Monsanto also objects to the extent the Request seeks
3 information regarding Monsanto products used or sold outside the United States because such
4 information is not relevant, not proportional to the needs of this case, and unduly cumulative and
5 burdensome; there are no allegations that plaintiffs were exposed to or purchased glyphosate-
6 containing products outside of the United States, and plaintiffs have already completed extensive
7 discovery regarding Monsanto products (including their ingredients) sold in the United States
8 such that further discovery into non-glyphosate containing herbicides would be unduly
9 cumulative and burdensome.

10 **REQUEST NO. 137:** Admit that Monsanto has sold or manufactured products containing
11 Carbaryl.

12 **RESPONSE TO REQUEST NO. 137:** Monsanto incorporates by reference General
13 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
14 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
15 irrelevant to the issues in this case including because Carbaryl is a non-glyphosate containing
16 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
17 containing the herbicide Carbaryl is irrelevant to the matters before the Court, exceeds the
18 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
19 objects to the extent the Request seeks information regarding Monsanto products used or sold
20 outside the United States because such information is not relevant, not proportional to the needs
21 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
22 exposed to or purchased glyphosate-containing products outside of the United States, and
23 plaintiffs have already completed extensive discovery regarding Monsanto products (including
24 their ingredients) sold in the United States such that further discovery into non-glyphosate
25 containing herbicides would be unduly cumulative and burdensome.

26 **REQUEST NO. 138:** Admit that Carbaryl potentiates NHL.

1 **RESPONSE TO REQUEST NO. 138:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
3 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
4 irrelevant to the issues in this case including because Carbaryl is a non-glyphosate containing
5 herbicide. Monsanto objects to this Request because the herbicide Carbaryl is irrelevant to the
6 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
7 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
8 Monsanto products used or sold outside the United States because such information is not
9 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
10 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
11 outside of the United States, and plaintiffs have already completed extensive discovery regarding
12 Monsanto products (including their ingredients) sold in the United States such that further
13 discovery into non-glyphosate containing herbicides would be unduly cumulative and
14 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
15 proper inquiry for a Request for Admission.

16 **REQUEST NO. 139:** Admit that Carbaryl does not potentiate NHL.

17 **RESPONSE TO REQUEST NO. 139:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
19 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
20 irrelevant to the issues in this case including because Carbaryl is a non-glyphosate containing
21 herbicide. Monsanto objects to this Request because the herbicide Carbaryl is irrelevant to the
22 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
23 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
24 Monsanto products used or sold outside the United States because such information is not
25 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
26 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products

1 outside of the United States, and plaintiffs have already completed extensive discovery regarding
2 Monsanto products (including their ingredients) sold in the United States such that further
3 discovery into non-glyphosate containing herbicides would be unduly cumulative and
4 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
5 proper inquiry for a Request for Admission.

6 **REQUEST NO. 140:** Admit that Monsanto manufactures or has manufactured Chlordane.

7 **RESPONSE TO REQUEST NO. 140:** Monsanto incorporates by reference General
8 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
9 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
10 irrelevant to the issues in this case including because Chlordane is a non-glyphosate containing
11 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide
12 Chlordane is irrelevant to the matters before the Court, exceeds the bounds of permissible
13 discovery and is not proportional to the needs of the case. Monsanto also objects to the extent the
14 Request seeks information regarding Monsanto products used or sold outside the United States
15 because such information is not relevant, not proportional to the needs of this case, and unduly
16 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
17 glyphosate-containing products outside of the United States, and plaintiffs have already
18 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
19 the United States such that further discovery into non-glyphosate containing herbicides would be
20 unduly cumulative and burdensome.

21 **REQUEST NO. 141:** Admit that Monsanto has sold or manufactured products containing
22 Chlordane.

23 **RESPONSE TO REQUEST NO. 141:** Monsanto incorporates by reference General
24 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
25 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
26 irrelevant to the issues in this case including because Chlordane is a non-glyphosate containing
27

1 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
2 containing the herbicide Chlordane is irrelevant to the matters before the Court, exceeds the
3 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
4 objects to the extent the Request seeks information regarding Monsanto products used or sold
5 outside the United States because such information is not relevant, not proportional to the needs
6 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
7 exposed to or purchased glyphosate-containing products outside of the United States, and
8 plaintiffs have already completed extensive discovery regarding Monsanto products (including
9 their ingredients) sold in the United States such that further discovery into non-glyphosate
10 containing herbicides would be unduly cumulative and burdensome.

11 **REQUEST NO. 142:** Admit that Chlordane potentiates NHL.

12 **RESPONSE TO REQUEST NO. 142:** Monsanto incorporates by reference General
13 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
14 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
15 irrelevant to the issues in this case including because Chlordane is a non-glyphosate containing
16 herbicide. Monsanto objects to this Request because the herbicide Chlordane is irrelevant to the
17 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
18 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
19 Monsanto products used or sold outside the United States because such information is not
20 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
21 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
22 outside of the United States, and plaintiffs have already completed extensive discovery regarding
23 Monsanto products (including their ingredients) sold in the United States such that further
24 discovery into non-glyphosate containing herbicides would be unduly cumulative and
25 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
26 proper inquiry for a Request for Admission.

1 **REQUEST NO. 143:** Admit that Chlordane does not potentiate NHL.

2 **RESPONSE TO REQUEST NO. 143:** Monsanto incorporates by reference General
3 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
4 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
5 irrelevant to the issues in this case including because Chlordane is a non-glyphosate containing
6 herbicide. Monsanto objects to this Request because the herbicide Chlordane is irrelevant to the
7 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
8 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
9 Monsanto products used or sold outside the United States because such information is not
10 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
11 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
12 outside of the United States, and plaintiffs have already completed extensive discovery regarding
13 Monsanto products (including their ingredients) sold in the United States such that further
14 discovery into non-glyphosate containing herbicides would be unduly cumulative and
15 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
16 proper inquiry for a Request for Admission.

17 **REQUEST NO. 144:** Admit that Monsanto manufactures or has manufactured Diazinon.

18 **RESPONSE TO REQUEST NO. 144:** Monsanto incorporates by reference General
19 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
20 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
21 irrelevant to the issues in this case including because Diazinon is a non-glyphosate containing
22 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide
23 Diazinon is irrelevant to the matters before the Court, exceeds the bounds of permissible
24 discovery and is not proportional to the needs of the case. Monsanto also objects to the extent the
25 Request seeks information regarding Monsanto products used or sold outside the United States
26 because such information is not relevant, not proportional to the needs of this case, and unduly
27

1 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
2 glyphosate-containing products outside of the United States, and plaintiffs have already
3 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
4 the United States such that further discovery into non-glyphosate containing herbicides would be
5 unduly cumulative and burdensome.

6 **REQUEST NO. 145:** Admit that Monsanto has sold or manufactured products containing
7 Diazinon.

8 **RESPONSE TO REQUEST NO. 145:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
10 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
11 irrelevant to the issues in this case including because Diazinon is a non-glyphosate containing
12 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
13 containing the herbicide Diazinon is irrelevant to the matters before the Court, exceeds the
14 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
15 objects to the extent the Request seeks information regarding Monsanto products used or sold
16 outside the United States because such information is not relevant, not proportional to the needs
17 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
18 exposed to or purchased glyphosate-containing products outside of the United States, and
19 plaintiffs have already completed extensive discovery regarding Monsanto products (including
20 their ingredients) sold in the United States such that further discovery into non-glyphosate
21 containing herbicides would be unduly cumulative and burdensome.

22 **REQUEST NO. 146:** Admit that Diazinon potentiates NHL.

23 **RESPONSE TO REQUEST NO. 146:** Monsanto incorporates by reference General
24 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
25 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
26 irrelevant to the issues in this case including because Diazinon is a non-glyphosate containing
27

1 herbicide. Monsanto objects to this Request because the herbicide Diazinon is irrelevant to the
2 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
3 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
4 Monsanto products used or sold outside the United States because such information is not
5 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
6 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
7 outside of the United States, and plaintiffs have already completed extensive discovery regarding
8 Monsanto products (including their ingredients) sold in the United States such that further
9 discovery into non-glyphosate containing herbicides would be unduly cumulative and
10 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
11 proper inquiry for a Request for Admission.

12 **REQUEST NO. 147:** Admit that Diazinon does not potentiate NHL.

13 **RESPONSE TO REQUEST NO. 147:** Monsanto incorporates by reference General
14 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
15 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
16 irrelevant to the issues in this case including because Diazinon is a non-glyphosate containing
17 herbicide. Monsanto objects to this Request because the herbicide Diazinon is irrelevant to the
18 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
19 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
20 Monsanto products used or sold outside the United States because such information is not
21 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
22 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
23 outside of the United States, and plaintiffs have already completed extensive discovery regarding
24 Monsanto products (including their ingredients) sold in the United States such that further
25 discovery into non-glyphosate containing herbicides would be unduly cumulative and
26

1 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
2 proper inquiry for a Request for Admission.

3 **REQUEST NO. 148:** Admit that Monsanto manufactures or has manufactured DDT.

4 **RESPONSE TO REQUEST NO. 148:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
6 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
7 irrelevant to the issues in this case including because DDT is a non-glyphosate containing
8 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide DDT is
9 irrelevant to the matters before the Court, exceeds the bounds of permissible discovery and is not
10 proportional to the needs of the case. Monsanto also objects to the extent the Request seeks
11 information regarding Monsanto products used or sold outside the United States because such
12 information is not relevant, not proportional to the needs of this case, and unduly cumulative and
13 burdensome; there are no allegations that plaintiffs were exposed to or purchased glyphosate-
14 containing products outside of the United States, and plaintiffs have already completed extensive
15 discovery regarding Monsanto products (including their ingredients) sold in the United States
16 such that further discovery into non-glyphosate containing herbicides would be unduly
17 cumulative and burdensome.

18 **REQUEST NO. 149:** Admit that Monsanto has sold or manufactured products containing DDT.

19 **RESPONSE TO REQUEST NO. 149:** Monsanto incorporates by reference General
20 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
21 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
22 irrelevant to the issues in this case including because DDT is a non-glyphosate containing
23 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
24 containing the herbicide DDT is irrelevant to the matters before the Court, exceeds the bounds of
25 permissible discovery and is not proportional to the needs of the case. Monsanto also objects to
26 the extent the Request seeks information regarding Monsanto products used or sold outside the
27

1 United States because such information is not relevant, not proportional to the needs of this case,
2 and unduly cumulative and burdensome; there are no allegations that plaintiffs were exposed to
3 or purchased glyphosate-containing products outside of the United States, and plaintiffs have
4 already completed extensive discovery regarding Monsanto products (including their
5 ingredients) sold in the United States such that further discovery into non-glyphosate containing
6 herbicides would be unduly cumulative and burdensome.

7 **REQUEST NO. 150:** Admit that DDT potentiates NHL.

8 **RESPONSE TO REQUEST NO. 150:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
10 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
11 irrelevant to the issues in this case including because DDT is a non-glyphosate containing
12 herbicide. Monsanto objects to this Request because the herbicide DDT is irrelevant to the
13 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
14 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
15 Monsanto products used or sold outside the United States because such information is not
16 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
17 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
18 outside of the United States, and plaintiffs have already completed extensive discovery regarding
19 Monsanto products (including their ingredients) sold in the United States such that further
20 discovery into non-glyphosate containing herbicides would be unduly cumulative and
21 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
22 proper inquiry for a Request for Admission.

23 **REQUEST NO. 151:** Admit that DDT does not potentiate NHL.

24 **RESPONSE TO REQUEST NO. 151:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
26 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
27

1 irrelevant to the issues in this case including because DDT is a non-glyphosate containing
2 herbicide. Monsanto objects to this Request because the herbicide DDT is irrelevant to the
3 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
4 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
5 Monsanto products used or sold outside the United States because such information is not
6 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
7 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
8 outside of the United States, and plaintiffs have already completed extensive discovery regarding
9 Monsanto products (including their ingredients) sold in the United States such that further
10 discovery into non-glyphosate containing herbicides would be unduly cumulative and
11 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
12 proper inquiry for a Request for Admission.

13 **REQUEST NO. 152:** Admit that Monsanto manufactures or has manufactured Dieldrin.

14 **RESPONSE TO REQUEST NO. 152:** Monsanto incorporates by reference General
15 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
16 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
17 irrelevant to the issues in this case including because Dieldrin is a non-glyphosate containing
18 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide Dieldrin
19 is irrelevant to the matters before the Court, exceeds the bounds of permissible discovery and is
20 not proportional to the needs of the case. Monsanto also objects to the extent the Request seeks
21 information regarding Monsanto products used or sold outside the United States because such
22 information is not relevant, not proportional to the needs of this case, and unduly cumulative and
23 burdensome; there are no allegations that plaintiffs were exposed to or purchased glyphosate-
24 containing products outside of the United States, and plaintiffs have already completed extensive
25 discovery regarding Monsanto products (including their ingredients) sold in the United States
26
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1 such that further discovery into non-glyphosate containing herbicides would be unduly
2 cumulative and burdensome.

3 **REQUEST NO. 153:** Admit that Monsanto has sold or manufactured products containing
4 Dieldrin.

5 **RESPONSE TO REQUEST NO. 153:** Monsanto incorporates by reference General
6 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
7 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
8 irrelevant to the issues in this case including because Dieldrin is a non-glyphosate containing
9 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
10 containing the herbicide Dieldrin is irrelevant to the matters before the Court, exceeds the
11 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
12 objects to the extent the Request seeks information regarding Monsanto products used or sold
13 outside the United States because such information is not relevant, not proportional to the needs
14 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
15 exposed to or purchased glyphosate-containing products outside of the United States, and
16 plaintiffs have already completed extensive discovery regarding Monsanto products (including
17 their ingredients) sold in the United States such that further discovery into non-glyphosate
18 containing herbicides would be unduly cumulative and burdensome.

19 **REQUEST NO. 154:** Admit that Dieldrin potentiates NHL.

20 **RESPONSE TO REQUEST NO. 154:** Monsanto incorporates by reference General
21 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
22 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
23 irrelevant to the issues in this case including because Dieldrin is a non-glyphosate containing
24 herbicide. Monsanto objects to this Request because the herbicide Dieldrin is irrelevant to the
25 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
26 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
27

1 Monsanto products used or sold outside the United States because such information is not
2 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
3 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
4 outside of the United States, and plaintiffs have already completed extensive discovery regarding
5 Monsanto products (including their ingredients) sold in the United States such that further
6 discovery into non-glyphosate containing herbicides would be unduly cumulative and
7 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
8 proper inquiry for a Request for Admission.

9 **REQUEST NO. 155:** Admit that Dieldrin does not potentiate NHL.

10 **RESPONSE TO REQUEST NO. 155:** Monsanto incorporates by reference General
11 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
12 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
13 irrelevant to the issues in this case including because Dieldrin is a non-glyphosate containing
14 herbicide. Monsanto objects to this Request because the herbicide Dieldrin is irrelevant to the
15 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
16 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
17 Monsanto products used or sold outside the United States because such information is not
18 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
19 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
20 outside of the United States, and plaintiffs have already completed extensive discovery regarding
21 Monsanto products (including their ingredients) sold in the United States such that further
22 discovery into non-glyphosate containing herbicides would be unduly cumulative and
23 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
24 proper inquiry for a Request for Admission.

25 **REQUEST NO. 156:** Admit that Monsanto manufactures or has manufactured Dimethoate.
26
27

1 **RESPONSE TO REQUEST NO. 156:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
3 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
4 irrelevant to the issues in this case including because Dimethoate is a non-glyphosate containing
5 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide
6 Dimethoate is irrelevant to the matters before the Court, exceeds the bounds of permissible
7 discovery and is not proportional to the needs of the case. Monsanto also objects to the extent the
8 Request seeks information regarding Monsanto products used or sold outside the United States
9 because such information is not relevant, not proportional to the needs of this case, and unduly
10 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
11 glyphosate-containing products outside of the United States, and plaintiffs have already
12 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
13 the United States such that further discovery into non-glyphosate containing herbicides would be
14 unduly cumulative and burdensome.

15 **REQUEST NO. 157:** Admit that Monsanto has sold or manufactured products containing
16 Dimethoate.

17 **RESPONSE TO REQUEST NO. 157:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
19 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
20 irrelevant to the issues in this case including because Dimethoate is a non-glyphosate containing
21 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
22 containing the herbicide Dimethoate is irrelevant to the matters before the Court, exceeds the
23 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
24 objects to the extent the Request seeks information regarding Monsanto products used or sold
25 outside the United States because such information is not relevant, not proportional to the needs
26 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were

1 exposed to or purchased glyphosate-containing products outside of the United States, and
2 plaintiffs have already completed extensive discovery regarding Monsanto products (including
3 their ingredients) sold in the United States such that further discovery into non-glyphosate
4 containing herbicides would be unduly cumulative and burdensome.

5 **REQUEST NO. 158:** Admit that Dimethoate potentiates NHL.

6 **RESPONSE TO REQUEST NO. 158:** Monsanto incorporates by reference General
7 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
8 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
9 irrelevant to the issues in this case including because Dimethoate is a non-glyphosate containing
10 herbicide. Monsanto objects to this Request because the herbicide Dimethoate is irrelevant to
11 the matters before the Court, exceeds the bounds of permissible discovery and is not proportional
12 to the needs of the case. Monsanto objects to the extent the Request seeks information regarding
13 Monsanto products used or sold outside the United States because such information is not
14 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
15 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
16 outside of the United States, and plaintiffs have already completed extensive discovery regarding
17 Monsanto products (including their ingredients) sold in the United States such that further
18 discovery into non-glyphosate containing herbicides would be unduly cumulative and
19 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
20 proper inquiry for a Request for Admission.

21 **REQUEST NO. 159:** Admit that Dimethoate does not potentiate NHL.

22 **RESPONSE TO REQUEST NO. 159:** Monsanto incorporates by reference General
23 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
24 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
25 irrelevant to the issues in this case including because Dimethoate is a non-glyphosate containing
26 herbicide. Monsanto objects to this Request because the herbicide Dimethoate is irrelevant to

1 the matters before the Court, exceeds the bounds of permissible discovery and is not proportional
2 to the needs of the case. Monsanto objects to the extent the Request seeks information regarding
3 Monsanto products used or sold outside the United States because such information is not
4 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
5 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
6 outside of the United States, and plaintiffs have already completed extensive discovery regarding
7 Monsanto products (including their ingredients) sold in the United States such that further
8 discovery into non-glyphosate containing herbicides would be unduly cumulative and
9 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
10 proper inquiry for a Request for Admission.

11 **REQUEST NO. 160:** Admit that Monsanto manufactures or has manufactured Pyrethrins.

12 **RESPONSE TO REQUEST NO. 160:** Monsanto incorporates by reference General
13 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
14 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
15 irrelevant to the issues in this case including because Pyrethrins is a non-glyphosate containing
16 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide
17 Pyrethrins is irrelevant to the matters before the Court, exceeds the bounds of permissible
18 discovery and is not proportional to the needs of the case. Monsanto also objects to the extent the
19 Request seeks information regarding Monsanto products used or sold outside the United States
20 because such information is not relevant, not proportional to the needs of this case, and unduly
21 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
22 glyphosate-containing products outside of the United States, and plaintiffs have already
23 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
24 the United States such that further discovery into non-glyphosate containing herbicides would be
25 unduly cumulative and burdensome.

1 **REQUEST NO. 161:** Admit that Monsanto has sold or manufactured products containing
2 Pyrethrins.

3 **RESPONSE TO REQUEST NO. 161:** Monsanto incorporates by reference General
4 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
5 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
6 irrelevant to the issues in this case including because Pyrethrins is a non-glyphosate containing
7 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
8 containing the herbicide Pyrethrins is irrelevant to the matters before the Court, exceeds the
9 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
10 objects to the extent the Request seeks information regarding Monsanto products used or sold
11 outside the United States because such information is not relevant, not proportional to the needs
12 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
13 exposed to or purchased glyphosate-containing products outside of the United States, and
14 plaintiffs have already completed extensive discovery regarding Monsanto products (including
15 their ingredients) sold in the United States such that further discovery into non-glyphosate
16 containing herbicides would be unduly cumulative and burdensome.

17 **REQUEST NO. 162:** Admit that Pyrethrins potentiates NHL.

18 **RESPONSE TO REQUEST NO. 162:** Monsanto incorporates by reference General
19 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
20 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
21 irrelevant to the issues in this case including because Pyrethrins is a non-glyphosate containing
22 herbicide. Monsanto objects to this Request because the herbicide Pyrethrins is irrelevant to the
23 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
24 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
25 Monsanto products used or sold outside the United States because such information is not
26 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there

1 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
2 outside of the United States, and plaintiffs have already completed extensive discovery regarding
3 Monsanto products (including their ingredients) sold in the United States such that further
4 discovery into non-glyphosate containing herbicides would be unduly cumulative and
5 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
6 proper inquiry for a Request for Admission.

7 **REQUEST NO. 163:** Admit that Pyrethrins does not potentiate NHL.

8 **RESPONSE TO REQUEST NO. 163:** Monsanto incorporates by reference General
9 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
10 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
11 irrelevant to the issues in this case including because Pyrethrins is a non-glyphosate containing
12 herbicide. Monsanto objects to this Request because the herbicide Pyrethrins is irrelevant to the
13 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
14 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
15 Monsanto products used or sold outside the United States because such information is not
16 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
17 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
18 outside of the United States, and plaintiffs have already completed extensive discovery regarding
19 Monsanto products (including their ingredients) sold in the United States such that further
20 discovery into non-glyphosate containing herbicides would be unduly cumulative and
21 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
22 proper inquiry for a Request for Admission.

23 **REQUEST NO. 164:** Admit that Monsanto manufactures or has manufactured Cyanazine.

24 **RESPONSE TO REQUEST NO. 164:** Monsanto incorporates by reference General
25 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
26 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
27

1 irrelevant to the issues in this case including because Cyanazin is a non-glyphosate containing
2 herbicide. Monsanto objects to this Request because the manufacturing of the herbicide
3 Cyanazine is irrelevant to the matters before the Court, exceeds the bounds of permissible
4 discovery and is not proportional to the needs of the case. Monsanto also objects to the extent the
5 Request seeks information regarding Monsanto products used or sold outside the United States
6 because such information is not relevant, not proportional to the needs of this case, and unduly
7 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
8 glyphosate-containing products outside of the United States, and plaintiffs have already
9 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
10 the United States such that further discovery into non-glyphosate containing herbicides would be
11 unduly cumulative and burdensome.

12 **REQUEST NO. 165:** Admit that Monsanto has sold or manufactured products containing
13 Cyanazine.

14 **RESPONSE TO REQUEST NO. 165:** Monsanto incorporates by reference General
15 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
16 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
17 irrelevant to the issues in this case including because Cyanazine is a non-glyphosate containing
18 herbicide. Monsanto objects to this Request because the manufacturing or sale of products
19 containing the herbicide Cyanazine is irrelevant to the matters before the Court, exceeds the
20 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
21 objects to the extent the Request seeks information regarding Monsanto products used or sold
22 outside the United States because such information is not relevant, not proportional to the needs
23 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
24 exposed to or purchased glyphosate-containing products outside of the United States, and
25 plaintiffs have already completed extensive discovery regarding Monsanto products (including
26
27

1 their ingredients) sold in the United States such that further discovery into non-glyphosate
2 containing herbicides would be unduly cumulative and burdensome.

3 **REQUEST NO. 166:** Admit that Cyanazine potentiates NHL.

4 **RESPONSE TO REQUEST NO. 166:** Monsanto incorporates by reference General
5 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
6 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
7 irrelevant to the issues in this case including because Cyanazine is a non-glyphosate containing
8 herbicide. Monsanto objects to this Request because the herbicide Cyanazine is irrelevant to the
9 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
10 the needs of the case. Monsanto objects to the extent the Request seeks information regarding
11 Monsanto products used or sold outside the United States because such information is not
12 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
13 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
14 outside of the United States, and plaintiffs have already completed extensive discovery regarding
15 Monsanto products (including their ingredients) sold in the United States such that further
16 discovery into non-glyphosate containing herbicides would be unduly cumulative and
17 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
18 proper inquiry for a Request for Admission.

19 **REQUEST NO. 167:** Admit that Cyanazine does not potentiate NHL.

20 **RESPONSE TO REQUEST NO. 167:** Monsanto incorporates by reference General
21 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
22 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
23 irrelevant to the issues in this case including because Cyanazine is a non-glyphosate containing
24 herbicide. Monsanto objects to this Request because the herbicide Cyanazine is irrelevant to the
25 matters before the Court, exceeds the bounds of permissible discovery and is not proportional to
26 the needs of the case. Monsanto objects to the extent the Request seeks information regarding

1 Monsanto products used or sold outside the United States because such information is not
2 relevant, not proportional to the needs of this case, and unduly cumulative and burdensome; there
3 are no allegations that plaintiffs were exposed to or purchased glyphosate-containing products
4 outside of the United States, and plaintiffs have already completed extensive discovery regarding
5 Monsanto products (including their ingredients) sold in the United States such that further
6 discovery into non-glyphosate containing herbicides would be unduly cumulative and
7 burdensome. Monsanto objects that this Request calls for an expert opinion, which is not a
8 proper inquiry for a Request for Admission.

9 **REQUEST NO. 168:** Admit that Monsanto manufactures or has manufactured Thiocarbamate
10 (EPTC).

11 **RESPONSE TO REQUEST NO. 168:** Monsanto incorporates by reference General
12 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
13 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
14 irrelevant to the issues in this case including because Thiocarbamate (EPTC) is a non-glyphosate
15 containing herbicide. Monsanto objects to this Request because the manufacturing of the
16 herbicide Thiocarbamate (EPTC) is irrelevant to the matters before the Court, exceeds the
17 bounds of permissible discovery and is not proportional to the needs of the case. Monsanto also
18 objects to the extent the Request seeks information regarding Monsanto products used or sold
19 outside the United States because such information is not relevant, not proportional to the needs
20 of this case, and unduly cumulative and burdensome; there are no allegations that plaintiffs were
21 exposed to or purchased glyphosate-containing products outside of the United States, and
22 plaintiffs have already completed extensive discovery regarding Monsanto products (including
23 their ingredients) sold in the United States such that further discovery into non-glyphosate
24 containing herbicides would be unduly cumulative and burdensome.

25 **REQUEST NO. 169:** Admit that Monsanto has sold or manufactured products containing
26 Thiocarbamate (EPTC).

1 **RESPONSE TO REQUEST NO. 169:** Monsanto incorporates by reference General
2 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
3 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
4 irrelevant to the issues in this case including because Thiocarbamate (EPTC) is a non-glyphosate
5 containing herbicide. Monsanto objects to this Request because the manufacturing or sale of
6 products containing the herbicide Thiocarbamate (EPTC) is irrelevant to the matters before the
7 Court, exceeds the bounds of permissible discovery and is not proportional to the needs of the
8 case. Monsanto also objects to the extent the Request seeks information regarding Monsanto
9 products used or sold outside the United States because such information is not relevant, not
10 proportional to the needs of this case, and unduly cumulative and burdensome; there are no
11 allegations that plaintiffs were exposed to or purchased glyphosate-containing products outside
12 of the United States, and plaintiffs have already completed extensive discovery regarding
13 Monsanto products (including their ingredients) sold in the United States such that further
14 discovery into non-glyphosate containing herbicides would be unduly cumulative and
15 burdensome.

16 **REQUEST NO. 170:** Admit that Thiocarbamate (EPTC) potentiates NHL.

17 **RESPONSE TO REQUEST NO. 170:** Monsanto incorporates by reference General
18 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
19 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
20 irrelevant to the issues in this case including because Thiocarbamate (EPTC) is a non-glyphosate
21 containing herbicide. Monsanto objects to this Request because the herbicide Thiocarbamate
22 (EPTC) is irrelevant to the matters before the Court, exceeds the bounds of permissible discovery
23 and is not proportional to the needs of the case. Monsanto objects to the extent the Request
24 seeks information regarding Monsanto products used or sold outside the United States because
25 such information is not relevant, not proportional to the needs of this case, and unduly
26 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased

1 glyphosate-containing products outside of the United States, and plaintiffs have already
2 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
3 the United States such that further discovery into non-glyphosate containing herbicides would be
4 unduly cumulative and burdensome. Monsanto objects that this Request calls for an expert
5 opinion, which is not a proper inquiry for a Request for Admission.

6 **REQUEST NO. 171:** Admit that Thiocarbamate (EPTC) does not potentiate NHL.

7 **RESPONSE TO REQUEST NO. 171:** Monsanto incorporates by reference General
8 Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is
9 cumulative and/or duplicative of discovery already served. Monsanto objects to this Request as
10 irrelevant to the issues in this case including because Thiocarbamate (EPTC) is a non-glyphosate
11 containing herbicide. Monsanto objects to this Request because the herbicide Thiocarbamate
12 (EPTC) is irrelevant to the matters before the Court, exceeds the bounds of permissible discovery
13 and is not proportional to the needs of the case. Monsanto objects to the extent the Request
14 seeks information regarding Monsanto products used or sold outside the United States because
15 such information is not relevant, not proportional to the needs of this case, and unduly
16 cumulative and burdensome; there are no allegations that plaintiffs were exposed to or purchased
17 glyphosate-containing products outside of the United States, and plaintiffs have already
18 completed extensive discovery regarding Monsanto products (including their ingredients) sold in
19 the United States such that further discovery into non-glyphosate containing herbicides would be
20 unduly cumulative and burdensome. Monsanto objects that this Request calls for an expert
21 opinion, which is not a proper inquiry for a Request for Admission.

1 DATED: December 10, 2018

Respectfully submitted,

2
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27 Attorneys for Defendant
28 MONSANTO COMPANY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of **Monsanto Company's Responses and Objections to First Set of General Requests for Admission** was served upon the parties below via electronic mail and U.S. Mail, postage prepaid, this 10th day of December 2018:

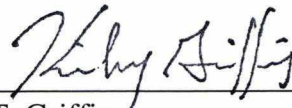
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Exhibit B

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MONSANTO COMPANY

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: ROUNDUP
PRODUCTS LIABILITY
LITIGATION**

MDL No. 2741

Case No. 16-md-02741-VC

**This document relates
to: ALL ACTIONS**

**MONSANTO COMPANY'S
RESPONSES AND OBJECTIONS TO
FIRST SET OF GENERAL
INTERROGATORIES**

Hon. Vance Chhabria

**MONSANTO COMPANY'S RESPONSES AND OBJECTIONS TO FIRST SET
OF GENERAL INTERROGATORIES**

Monsanto Company ("Monsanto") hereby responds pursuant to Rule 33 of the Federal Rules of Civil Procedure to Plaintiffs' First Set of General Interrogatories.

GENERAL OBJECTIONS

1. Monsanto has based these responses and objections on the assumption that plaintiffs, in propounding these Interrogatories, do not intend to seek information protected from discovery by the attorney-client privilege, or the attorney work product rule, or information regarding or reflecting the impressions, conclusions, opinions, legal research or theories of Monsanto's attorneys. Monsanto objects to each request to the extent it seeks documents or

1 information protected by the attorney-client privilege, the work product doctrine, or any other
2 applicable statutory or common law privilege.

3 2. Monsanto objects to the extent the Interrogatories seek the immediate production
4 of documents because this would be impossible in view of the scope and manner of the requested
5 production, for a company the size of Monsanto, and due to the volume of records that Monsanto
6 has in its possession. Based on records collected to date, most Monsanto employees who may be
7 designated as a custodian have hundreds of thousands to millions of pages of records. Before
8 responsive records can be produced, they need to be collected, processed, and reviewed at
9 substantial costs. To the extent Monsanto agrees to produce documents in accordance with its
10 responses set forth below, the production will be made on a rolling basis.

11 3. Monsanto objects to all of the Interrogatories to the extent they would require
12 Monsanto to produce or search for information not within its possession, custody, or control,
13 including information in the possession of other corporations or individuals not employed by the
14 company.

15 4. Monsanto objects to the Interrogatories to the extent they seek information or
16 documentation that is publicly available and therefore readily available to plaintiffs, as the
17 burden of obtaining such information is the same for plaintiffs as it would be for Monsanto

18 5. Monsanto objects to these Interrogatories as unreasonably cumulative and/or
19 duplicative of discovery already served.

20 6. Monsanto objects to the Interrogatories to the extent they seek the identification
21 of “all” or “each and every” documents or information in response. It is a practical and legal
22 impossibility that “all” facts, documents, or information for any specific subject could be found
23 and identified for the more than forty years that glyphosate-containing products have been
24 manufactured and sold by Monsanto. Instead, Monsanto will make reasonable and proportional
25 searches for documents and information in order to respond to otherwise unobjectionable
26 Interrogatories.

1 7. Monsanto's Responses to plaintiffs' Interrogatories are made without waiving the
2 right, at any time and for any reason, to revise, supplement, correct, add to, or clarify these
3 Responses. These responses also are provided without limiting or waiving Monsanto's right to
4 object to additional discovery that may be sought from Monsanto or from any of the custodians
5 or production sources identified in these responses.

6 8. Monsanto objects to these Interrogatories to the extent that they seek to impose a
7 burden or requirements beyond what the Federal Rules of Civil Procedure and/or the local rules
8 for the Northern District of California require.

9 9. Monsanto objects to the Interrogatories to the extent they seek information not
10 relevant to any claims or defenses asserted in this case.

11 10. Monsanto objects to the Interrogatories because in combination with all parts and
12 subparts the total number of Interrogatories sought exceeds the limit of 25 Interrogatories
13 imposed by Federal Rule of Civil Procedure 33.

14 11. These General Objections apply to all of the following Responses to specific
15 Interrogatories and are incorporated by reference therein.

16 **MONSANTO'S SPECIFIC RESPONSES AND OBJECTION TO INTERROGATORIES**

17 **INTERROGATORY NO. 1:** Please describe and define Freedom to Operate (FTO) and how
18 Monsanto uses or implements FTO as it relates to glyphosate and glyphosate-based formulations.

19 **RESPONSE TO INTERROGATORY NO. 1:** Monsanto incorporates by reference the
20 foregoing General Objections here as if restated in full. Monsanto objects to the phrase "uses or
21 implements" because it is vague and ambiguous. Monsanto objects that Interrogatory No. 1 is
22 overbroad, irrelevant, unduly burdensome, and not proportional to the needs of the case,
23 including because it is not limited temporally, geographically, or by subject matter to the claims
24 at issue. Monsanto objects to Interrogatory No. 1 because it is cumulative and/or duplicative of
25 discovery already served, including because plaintiffs are seeking this information in Topic No.
26 17 (Monsanto's knowledge, positions, and conduct related to "Freedom to Operate") of their

1 Rule 30(b)(6) Notice of Deposition served on November 9, 2018. Monsanto objects to
2 Interrogatory No. 1 because discovery is on-going.

3 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
4 Monsanto's Rule 30(b)(6) Corporate Deponent will be prepared to address this Interrogatory at
5 the deposition currently scheduled for January 23, 2019.

6 **INTERROGATORY NO. 2:** Please describe and define Let Nothing Go (LNG) and how
7 Monsanto uses or implements LNG as it relates to glyphosate and glyphosate-based
8 formulations.

9 **RESPONSE TO INTERROGATORY NO. 2:** Monsanto incorporates by reference the
10 foregoing General Objections here as if restated in full. Monsanto objects to the phrase "uses or
11 implements" because it is vague and ambiguous. Monsanto objects that Interrogatory No. 2 is
12 overbroad, irrelevant, unduly burdensome, and not proportional to the needs of the case,
13 including because it is not limited temporally, geographically, or by subject matter to the claims
14 at issue. Monsanto objects to Interrogatory No. 2 because it is cumulative and/or duplicative of
15 discovery already served, including because plaintiffs are seeking this information in Topic No.
16 18 (Monsanto's knowledge, positions, and conduct related to the "Let Nothing Go" campaigns)
17 in their Rule 30(b)(6) Notice of Deposition served on November 9, 2018. Monsanto objects to
18 Interrogatory No. 2 because it seeks information maintained outside of the United States, and
19 such information is not relevant, not proportional to the needs of this case, and is unduly
20 cumulative and burdensome; there are no allegations that plaintiffs in this case were exposed to
21 or purchased glyphosate-containing products outside of the United States, and plaintiffs have
22 already completed extensive discovery regarding Monsanto products sold in the United States
23 such that further discovery would be unduly cumulative and burdensome. Monsanto objects to
24 Interrogatory No. 2 because discovery is on-going.

25 **INTERROGATORY NO. 3:** Please explain why Monsanto has never conducted a long-term
26 animal carcinogenicity study on formulated glyphosate.

1 **RESPONSE TO INTERROGATORY NO. 3:** Monsanto incorporates by reference the
2 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No. 3
3 because it is cumulative and/or duplicative of discovery already served, including because
4 plaintiffs are seeking this information in Topic No. 1 (Monsanto’s knowledge and positions
5 regarding the carcinogenicity of glyphosate-Based-Formulations (“GBFs”), including but not
6 limited to the potential for GBFs to cause non-Hodgkin lymphoma (“NHL”)) in their Rule
7 30(b)(6) Notice of Deposition served on November 9, 2018. Monsanto objects to Interrogatory
8 No. 3 because discovery is on-going.

9 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
10 Chronic animal carcinogenicity studies on glyphosate formulated products are not scientifically
11 justified. The EPA has classified glyphosate as non-carcinogenic to humans based in part on
12 long-term carcinogenicity studies in rodents. EPA concluded that no long-term animal
13 carcinogenicity study of surfactants is required, based on its review of the available mammalian
14 toxicity database as well as mutagenicity data. *See* EPA, Office of Prevention, Pesticides and
15 Toxic Substances, *Alkyl Amine Polyalkoxylates (JITF CST 4 Inert Ingredients). Human Health*
16 *Risk Assessment to Support Proposed Exemption from Requirement of a Tolerance When Used*
17 *as an Inert Ingredient in Pesticide Formulations*, (Apr. 3, 2009). Further, there is a significant
18 body of mechanistic studies on glyphosate formulated products that likewise do not raise a signal
19 that such products are carcinogenic. Most importantly, human epidemiologic studies of
20 formulated product, including a 2018 cohort study of over 50,000 licensed pesticide applicators
21 conducted by NCI and NIH investigators through the Agricultural Health Study show no
22 evidence of an association between glyphosate formulated products and cancer in humans.

23 Furthermore, there is no scientifically acceptable method to conduct such mixture studies
24 and no regulatory guidelines regarding the design, conduct, or interpretation of such studies. A
25 long term animal carcinogenicity study of a formulated product would face significant scientific
26 hurdles that would preclude any meaningful findings. Because of their the soap like properties,
27

1 surfactants cause gastric irritation, which would cause rodents to either refuse to eat the
2 formulated product at sufficient doses or would cause the rodents to become sick, lose weight, or
3 experience other acute toxicities that would render any study results unreliable. Moreover,
4 preparing standardized pellets that accurately contain the correct conduit of a formulated product
5 would be difficult if not impossible.

6 For these reasons, no other company or scientific entity has conducted a long-term animal
7 carcinogenicity study on any formulated pesticide product. Plaintiffs' regulatory expert similarly
8 is not aware of such studies. *See* Deposition of Charles Benbrook, Ph.D. (*Peterson & Hall v.*
9 *Monsanto Co.*) at 211:7-15. Further, no regulatory agency anywhere in the world, including
10 EPA, requires chronic animal carcinogenicity studies on formulated pesticide products. *See,*
11 *e.g.*, 40 C.F.R. 158.500 (EPA Toxicology data requirements table).

12 Monsanto notes that it has conducted a broad array of other scientific studies that
13 demonstrate the safety of formulated glyphosate products. For example, Monsanto routinely
14 sponsors or conducts skin sensitization studies of glyphosate-based herbicide formulations as
15 part of its "six-pack" analysis (*e.g.*, MON-18722 (Roundup NM II Herbicide) A Closed-Patch
16 Repeated Insult Dermal Sensitization Study in Guinea Pigs (Buehler Method
17 (MONGLY00143681- MONGLY00143783)). Monsanto has sponsored or conducted multiple
18 rodent feeding studies, all of which show glyphosate is not a rodent carcinogen (*e.g.*, Knezevich
19 and Hogan). Monsanto has sponsored or conducted dozens of mechanistic studies on
20 glyphosate, surfactants, and glyphosate-based herbicide formulations (*e.g.*, Xu 2006). Monsanto
21 has sponsored or carried out many dermal absorption studies in both in vitro and in vivo models,
22 collectively showing dermal absorption of glyphosate is minimal (*e.g.*, Franz 1983). Monsanto
23 has conducted or sponsored studies of glyphosate ADME characteristics, collectively showing
24 systemically absorbed glyphosate is rapidly excreted (*e.g.*, Ridley 1988). Further, Monsanto has
25 sponsored or conducted human biomonitoring and passive dosimetry studies to determine real-
26 life human exposures to glyphosate (*e.g.*, Acquavella 2004). While not all of the studies are

1 identified here, all of the studies conducted or sponsored by Monsanto collectively show dermal
2 absorption of glyphosate does not represent a risk to human health.

3 In addition, Monsanto monitors published and unpublished research by outside scientists
4 on any potential risks associated with dermal exposure to glyphosate. To that end, Monsanto has
5 reviewed epidemiology studies (*e.g.*, Andreotti 2018), human biomonitoring studies (*e.g.*,
6 Connolly 2017), dermal absorption studies (*e.g.*, Nielsen 2009), mechanistic studies (*e.g.*, non-
7 Monsanto studies reported in Kier and Kirkland 2013), and rodent carcinogenicity studies (*e.g.*,
8 non-Monsanto studies reported in Greim 2015). Monsanto has also reviewed regulatory
9 opinions regarding the potential risk of dermal exposure to glyphosate (*e.g.*, EChA 2017). All of
10 these materials are remarkably consistent – when used in accordance with label instructions,
11 glyphosate is not a human carcinogen.

12 **INTERROGATORY NO. 4:** Please explain why Monsanto has never conducted an
13 epidemiology study on glyphosate or glyphosate-based formulations.

14 **RESPONSE TO INTERROGATORY NO. 4:** Monsanto incorporates by reference the
15 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No. 4
16 because it wrongly assumes that Monsanto has “never conducted” epidemiology studies on
17 glyphosate or glyphosate-based formulations. Monsanto objects to Interrogatory No. 4 because
18 it is cumulative and/or duplicative of discovery already served, including because plaintiffs are
19 seeking this information in Topic No. 4 (Monsanto’s knowledge and positions regarding the
20 epidemiology evaluating exposure to GBFs and cancer) and Topic No. 3 (Monsanto’s knowledge
21 and positions regarding the Agricultural Health Study (“AHS”) and the studies conducted out of
22 the AHS) in their Rule 30(b)(6) Notice of Deposition served on November 9, 2018. Monsanto
23 objects to Interrogatory No. 4 because discovery is on-going.

24 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
25 Monsanto has participated in epidemiologic analyses of glyphosate containing formulations
26 through the Farm Family Exposure Study and other human exposure studies that have been used

1 by NCI and NIH scientists to more accurately calculate dose in epidemiologic studies conducted
2 through the Agricultural Health Study cohort. Monsanto notes that multiple published studies
3 conducted by third party scientists with no affiliation with Monsanto show no association
4 between glyphosate containing formulations and non-Hodgkin's lymphoma.

5 **INTERROGATORY NO. 5:** Do you believe that the International Agency for Research on
6 Cancer is a reliable institution, and if not please explain why.

7 **RESPONSE TO INTERROGATORY NO. 5:** Monsanto incorporates by reference the
8 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No. 5
9 because it is cumulative and/or duplicative of discovery already served, including because
10 plaintiffs are seeking this information in Topic No. 13 (Monsanto's knowledge, policies,
11 positions, and conduct pertaining to IARC carcinogenicity classifications, both preceding and
12 following the 2015 classification of glyphosate as a "2A Probable Human Carcinogen") in their
13 Rule 30(b)(6) Notice of Deposition served on November 9, 2018. Monsanto objects to
14 Interrogatory No. 5 because the term "reliable" is vague, ambiguous, and subject to various
15 interpretations. Monsanto objects to Interrogatory No. 5 because it is compound. Monsanto
16 objects to Interrogatory No. 5 because discovery is on-going.

17 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
18 The International Agency for Research on Cancer is engaged in a wide variety of activities,
19 which include the coordination of cancer registries worldwide, a global cancer biobank, and the
20 education and training of cancer researchers, as well as its monograph program. With respect to
21 its monograph program, the European Food Safety Authority has stated that "IARC['s]
22 assessment [is] a possible first step in a full assessment." This statement accurately characterizes
23 IARC's role in identifying potential cancer hazards. In its preamble, IARC likewise explains the
24 important distinction between hazard and risk: "A cancer 'hazard' is an agent that is capable of
25 causing cancer under some circumstances, while a cancer 'risk' is an estimate of the
26 carcinogenic effects expected from exposure to a cancer hazard. The Monographs are an exercise

1 in evaluating cancer hazards, despite the historical presence of the word ‘risks’ in the title. The
2 distinction between hazard and risk is important, and the Monographs identify cancer hazards
3 even when risks are very low at current exposure levels, because new uses or unforeseen
4 exposures could engender risks that are significantly higher.” With respect to individual
5 exposures, each IARC monograph is prepared by a different group of scientists invited to
6 participate in meetings lasting roughly a week. The reliability of each such working group’s
7 analysis varies. Working Group 112’s analysis of glyphosate as a Group 2A carcinogen is not
8 reliable for a variety of reasons, including, but not limited to, the working group’s failure to
9 review a significant portion of the robust scientific database establishing that glyphosate is not a
10 carcinogen and its improper assessment of the studies it did review, in which it frequently
11 disregarded the conclusions reached by the original study investigators. The lack of reliability of
12 this working group assessment is evident in the fact that regulators around the world that have
13 addressed the question whether glyphosate poses a cancer risk in human following the IARC
14 classification have disagreed with its assessment, including regulatory authorities in the United
15 States, Europe, Canada, Korea, Japan, New Zealand and Australia.

16 **INTERROGATORY NO. 6:** Please describe what tests Monsanto has done to test whether
17 glyphosate is carcinogenic.

18 **RESPONSE TO INTERROGATORY NO. 6:** Monsanto incorporates by reference the
19 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No. 6
20 because it is cumulative and/or duplicative of discovery already served, including because
21 plaintiffs are seeking this information in Topic No. 1 (Monsanto’s knowledge and positions
22 regarding the carcinogenicity of glyphosate-Based-Formulations (“GBFs”), including but not
23 limited to the potential for GBFs to cause non-Hodgkin lymphoma (“NHL”)), and Topic No. 2
24 (Monsanto’s knowledge and positions regarding the biological mechanism by which GBFs cause
25 or can cause cancer, including but not limited to the potential for GBFs to induce genotoxicity,
26 oxidative stress, and/or DNA damage) in their Rule 30(b)(6) Notice of Deposition served on
27

1 November 9, 2018. Monsanto objects to Interrogatory No. 6 because the term “tests” is vague
2 and ambiguous. Monsanto objects to Interrogatory No. 6 because discovery is on-going.

3 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
4 Monsanto is a responsible manufacturer of pesticides like Roundup branded products. To that
5 end, Monsanto has complied with all EPA regulations, in addition to the regulations of other
6 countries, in conducting a wide range of studies to ensure that dermal exposure (resulting in a
7 systemic exposure to humans) to glyphosate-based herbicides manufactured or sold by Monsanto
8 are not a risk to human health or the environment.

9 To that end, Monsanto has sponsored or conducted multiple rodent feeding studies, all of
10 which show glyphosate is not a rodent carcinogen (*e.g.*, Knezevich and Hogan). Monsanto has
11 sponsored or conducted dozens of mechanistic studies on glyphosate, surfactants, and
12 glyphosate-based herbicide formulations (*e.g.*, Xu 2006). Monsanto has sponsored or carried
13 out many dermal absorption studies in both in vitro and in vivo models, collectively showing
14 dermal absorption of glyphosate is minimal (*e.g.*, Franz 1983). Monsanto has conducted or
15 sponsored studies of glyphosate ADME characteristics, collectively showing systemically
16 absorbed glyphosate is rapidly excreted (*e.g.*, Ridley 1988). Finally, Monsanto has sponsored or
17 conducted human biomonitoring and passive dosimetry studies to determine real-life human
18 exposures to glyphosate (*e.g.*, Acquavella 2004). All of the studies conducted or sponsored by
19 Monsanto collectively show dermal absorption of glyphosate and glyphosate based formulations
20 is not carcinogenic.

21 In addition, Monsanto monitors published and unpublished research by outside scientists
22 on any potential risks associated with dermal exposure to glyphosate. To that end, Monsanto has
23 reviewed epidemiology studies (*e.g.*, Andreotti 2018), human biomonitoring studies (*e.g.*,
24 Connolly 2017), dermal absorption studies (*e.g.*, Nielsen 2009), mechanistic studies (*e.g.*, non-
25 Monsanto studies reported in Kier and Kirkland 2013), and rodent carcinogenicity studies (*e.g.*,
26 non-Monsanto studies reported in Greim 2015). Monsanto has also reviewed regulatory

1 opinions regarding the potential risk of dermal exposure to glyphosate (*e.g.*, EChA 2017). All of
2 these materials are remarkably consistent – when used in accordance with label instructions,
3 glyphosate is not a human carcinogen.

4 **INTERROGATORY NO. 7:** Please describe what tests Monsanto has done to test whether the
5 surfactants used in glyphosate-based formulations is carcinogenic.

6 **RESPONSE TO INTERROGATORY NO. 7:** Monsanto incorporates by reference the
7 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No. 7
8 because it is cumulative and/or duplicative of discovery already served, including because
9 plaintiffs are seeking this information in Topic No. 1 (Monsanto’s knowledge and positions
10 regarding the carcinogenicity of glyphosate-Based-Formulations (“GBFs”), including but not
11 limited to the potential for GBFs to cause non-Hodgkin lymphoma (“NHL”)), and Topic No. 2
12 (Monsanto’s knowledge and positions regarding the biological mechanism by which GBFs cause
13 or can cause cancer, including but not limited to the potential for GBFs to induce genotoxicity,
14 oxidative stress, and/or DNA damage) in their Rule 30(b)(6) Notice of Deposition served on
15 November 9, 2018. Monsanto objects to Interrogatory No. 7 because the term “tests” is vague
16 and ambiguous. Monsanto objects to Interrogatory No. 7 because discovery is on-going.

17 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
18 Monsanto incorporates by reference its Response to Interrogatory No. 6. Monsanto further notes
19 that the EPA has concluded that the surfactants used in glyphosate-based herbicides are not
20 likely to pose a risk of cancer. *See* EPA, Office of Prevention, Pesticides and Toxic Substances,
21 *Alkyl Amine Polyalkoxylates (JITF CST 4 Inert Ingredients). Human Health Risk Assessment to*
22 *Support Proposed Exemption from Requirement of a Tolerance When Used as an Inert*
23 *Ingredient in Pesticide Formulations*, (Apr. 3, 2009).

24 **INTERROGATORY NO. 8:** Please describe what tests Monsanto has done to determine
25 whether formulated glyphosate, as opposed to just glyphosate or the surfactants, is carcinogenic.

1 **RESPONSE TO INTERROGATORY NO. 8:** Monsanto incorporates by reference the
2 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No. 8
3 because it is cumulative and/or duplicative of discovery already served, including because
4 plaintiffs are seeking this information in Topic No. 1 (Monsanto’s knowledge and positions
5 regarding the carcinogenicity of glyphosate-Based-Formulations (“GBFs”), including but not
6 limited to the potential for GBFs to cause non-Hodgkin lymphoma (“NHL”)), and Topic No. 2
7 (Monsanto’s knowledge and positions regarding the biological mechanism by which GBFs cause
8 or can cause cancer, including but not limited to the potential for GBFs to induce genotoxicity,
9 oxidative stress, and/or DNA damage) in their Rule 30(b)(6) Notice of Deposition served on
10 November 9, 2018. Monsanto objects to Interrogatory No. 8 because the term “tests” is vague
11 and ambiguous. Monsanto objects to Interrogatory No. 8 because discovery is on-going.

12 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
13 Monsanto incorporates by reference its Response to Interrogatory Nos. 6 and 7.

14 **INTERROGATORY NO. 9:** How much money Monsanto has given, directly or indirectly, to
15 the individuals (and their affiliate institutions) and institutions / companies listed on Exhibit A.

16 **RESPONSE TO INTERROGATORY NO. 9:** Monsanto incorporates by reference the
17 foregoing General Objections here as if restated in full. Monsanto objects to the term “given” as
18 vague, ambiguous, and lacking specificity. Monsanto objects to Interrogatory No. 9 because it is
19 compound and contains approximately 109 inappropriate subparts, which is the equivalent of
20 seeking 109 individual interrogatories. Monsanto objects to Interrogatory No. 9 because in
21 combination with its subparts, this Interrogatory exceeds the limit of 25 interrogatories, including
22 all parts and subparts, imposed by Federal Rule of Civil Procedure 33. Monsanto objects to
23 Interrogatory No. 9 because it seeks information that is neither relevant nor proportional to the
24 needs of the case, and is not tied geographically, or by subject matter to the claims at issue in this
25 case, specifically because it is not limited in any way to human health, glyphosate and/or
26 Roundup branded products. Monsanto objects to Interrogatory No. 9 because it assumes

1 Monsanto has “given money” to “the individuals (and their affiliate institutions) and institutions /
2 companies listed on Exhibit A.” Monsanto objects to Interrogatory No. 9 because discovery is
3 on-going.

4 **INTERROGATORY NO. 10:** Please identify those individuals within Monsanto, between 1970
5 and the present, that exercised substantial discretionary authority over decisions that ultimately
6 determined Monsanto’s policies as it relates to glyphosate and GBFs, including but not limited to
7 those individuals who have been deposed in this MDL and other Roundup-cancer litigation.

8 **RESPONSE TO INTERROGATORY NO. 10:** Monsanto incorporates by reference the
9 foregoing General Objections here as if restated in full. Monsanto objects to the phrase
10 “exercised substantial discretionary authority over decisions that ultimately determined
11 Monsanto’s policies as it relates to glyphosate and GBFs” because it is vague, ambiguous, and
12 lacks specificity. Monsanto objects to Interrogatory No. 10 because it is compound in that it
13 seeks a response for every year for a more than 40 year period, which is the equivalent of
14 seeking more than 40 interrogatories. Monsanto objects to Interrogatory No. 10 because in
15 combination with its subparts, this Interrogatory exceeds the limit of 25 interrogatories, including
16 all parts and subparts, imposed by Federal Rule of Civil Procedure 33. Monsanto objects to
17 Interrogatory No. 10 to the extent it calls for a legal conclusion. Monsanto objects to
18 Interrogatory No. 10 because it is cumulative and/or duplicative of discovery already served,
19 including because plaintiffs have posed approximately 65 Requests for Admission seeking
20 substantially the same information. Monsanto objects to Interrogatory No. 10 because discovery
21 is on-going.

22 **INTERROGATORY NO. 11:** Please identify which of the following substances / products
23 potentiate NHL and/or are carcinogens, both as chemicals and as formulated products: Dicamba,
24 2,4-D, Malathion, Alachlor, Atrazine, Metolachlor, Trifluralin, Carbaryl, Chlordane, Diazinon,
25 DDT, Dieldrin, Dimethoate, Pyrethrins, Cyanazine, and Thiocarbamate (EPTC).

1 **RESPONSE TO INTERROGATORY NO. 11:** Monsanto incorporates by reference the
2 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
3 11 as oppressive, unduly burdensome, and irrelevant, unless or until plaintiffs concede exposure,
4 or Monsanto contends that any plaintiffs were exposed to any of the chemicals identified in this
5 interrogatory. Monsanto objects to Interrogatory No. 11 because it is compound and contains 16
6 inappropriate subparts, which is the equivalent of seeking 16 interrogatories. Monsanto objects
7 to Interrogatory No. 11 because in combination with its subparts, this Interrogatory exceeds the
8 limit of 25 interrogatories, including all parts and subparts, imposed by Federal Rule of Civil
9 Procedure 33. Monsanto objects to Interrogatory No. 11 because it seeks information that is
10 neither relevant nor proportional to the needs of the case, including because information
11 regarding non-glyphosate containing herbicides have no bearing on the claims or defenses of this
12 case. Monsanto objects that Interrogatory No. 11 is improperly and prematurely seeking the
13 disclosure of expert testimony and/or the materials on which Monsanto's experts will rely in
14 reaching their expert opinions. Such information will be disclosed at the appropriate time in
15 accordance with Federal Rule of Civil Procedure 26 disclosure requirements for expert testimony
16 and/or pursuant to the October 3, 2018, Pretrial Order No. 53 – Revised Trial Schedule Group 1
17 Plaintiffs [Dkt. 1926]. Monsanto objects to Interrogatory No. 11 because it is cumulative and/or
18 duplicative of discovery already served. Monsanto objects to Interrogatory No. 11 because
19 discovery is on-going.

20 **INTERROGATORY NO. 12:** Please describe what efforts, if any, that Monsanto directly, or
21 through an intermediary, has undertaken to direct internet searches to news articles, including but
22 not limited paid listings on Reddit and Google. Please describe whether this activity has been
23 directed toward residents living in the San Francisco Bay area and, if so, why.

24 **RESPONSE TO INTERROGATORY NO. 12:** Monsanto incorporates by reference the
25 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
26 12 because it seeks information that is neither relevant nor proportional to the needs of the case,
27

1 including because it is not limited temporally, geographically, or by subject matter to the claims
2 at issue in this case. Monsanto objects to the phrase “direct internet searches to news articles”
3 and “paid listings on Reddit and Google” as vague, ambiguous, and lacking specificity.

4 Monsanto objects to Interrogatory No. 12 because this Interrogatory exceeds the limit of 25
5 interrogatories, including all parts and subparts, imposed by Federal Rule of Civil Procedure 33.

6 Monsanto objects to Interrogatory No. 12 because it is cumulative and/or duplicative of
7 discovery already served, including because plaintiffs are seeking this information in Topic No.

8 26 (Monsanto’s promotional efforts on the internet, including but not limited to paid searches
9 designed to steer people to specific news articles. This topic includes any and all efforts by

10 Monsanto to target people living in San Francisco and the Bay Area either directly or through an
11 intermediary law firm / company), in their Rule 30(b)(6) Notice of Deposition served on

12 November 9, 2018, and plaintiffs have served a Request for Admission seeking substantially the
13 same information. Monsanto objects to Interrogatory No. 12 because discovery is on-going.

14 **INTERROGATORY NO. 13:** Please describe all efforts Monsanto has taken to add a
15 carcinogenicity warning to the warning label of any glyphosate-based herbicide.

16 **RESPONSE TO INTERROGATORY NO. 13:** Monsanto incorporates by reference the
17 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.

18 13 because it is cumulative and/or duplicative of discovery already served, including because
19 plaintiffs are seeking this information in Topic No. 23 (Monsanto’s knowledge, positions, and

20 conduct related to preparation of the label and Material Safety Data Sheet for GBFs in the United
21 States), and Topic No. 24 (The warning information contained on the label of GBFs

22 manufactured and/or sold by Monsanto in the United States.) in their Rule 30(b)(6) Notice of
23 Deposition served on November 9, 2018, and plaintiffs have served at least 8 Requests for

24 Admission seeking substantially the same information. Monsanto objects to Interrogatory No.
25 13 because the term “efforts” is vague and ambiguous. Monsanto objects to Interrogatory No. 13

26 because this Interrogatory exceeds the limit of 25 interrogatories, including all parts and
27

1 subparts, imposed by Federal Rule of Civil Procedure 33. Monsanto objects to Interrogatory No.
2 13 because discovery is on-going.

3 Subject to, and without waiving the foregoing objections Monsanto responds as follows:

4 Monsanto has never recommended that a written warning be added to the labels of its
5 glyphosate-containing products about possible carcinogenicity because there is no scientific basis
6 for such a warning.

7 **INTERROGATORY NO. 14:** Please describe all efforts Monsanto has taken to add a
8 carcinogenicity warning to the Material Safety Data Sheet for any glyphosate-based herbicide.

9 **RESPONSE TO INTERROGATORY NO. 14:** Monsanto incorporates by reference the
10 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
11 14 because it is cumulative and/or duplicative of discovery already served, including because
12 plaintiffs are seeking this information in Topic No. 23 (Monsanto’s knowledge, positions, and
13 conduct related to preparation of the label and Material Safety Data Sheet for GBFs in the United
14 States), and Topic No. 24 (The warning information contained on the label of GBFs
15 manufactured and/or sold by Monsanto in the United States.) in their Rule 30(b)(6) Notice of
16 Deposition served on November 9, 2018, and plaintiffs have served two Requests for Admission
17 seeking substantially the same information. Monsanto objects to Interrogatory No. 14 because
18 the term “efforts” is vague and ambiguous. Monsanto objects to Interrogatory No. 14 because in
19 combination with its subparts, this Interrogatory exceeds the limit of 25 interrogatories, including
20 all parts and subparts, imposed by Federal Rule of Civil Procedure 33. Monsanto objects to
21 Interrogatory No. 14 because discovery is on-going.

22 Subject to, and without waiving the foregoing objections Monsanto responds as follows:

23 The United States Department of Labor’s Occupational Safety and Health Administration
24 (“OSHA”) regulations call for a manufacturer to include on material safety data sheets in section
25 11, the Toxicological information section “whether the hazardous chemical is listed in the
26 National Toxicology Program (NTP) Report on Carcinogens (latest edition) or has been found to

1 be a potential carcinogen in the International Agency for Research on Cancer (IARC)
2 Monographs (latest edition), or by OSHA.” 29 C.F.R. § 1910.1200, App. D. OSHA regulations
3 require all chemical manufacturers to make a determination of whether a manufactured chemical
4 is a health hazard, including whether it is carcinogenic, and “identify and consider the full range
5 of available scientific literature and other evidence concerning the potential hazards,” 29 C.F.R.
6 § 1910.1200(d)(2), and that such health hazards must be listed in section 2, the Hazard
7 identification section. IARC’s classification does not require Monsanto to list glyphosate as a
8 health hazard in section 2. Based on the above OSHA regulations, Monsanto has placed the
9 following on its safety data sheets for glyphosate-containing products under section 11: “Not
10 carcinogenic in rats or mice. Listed as Category 2A by the International Agency for Research on
11 Cancer (IARC) but our expert opinion is that the classification as a carcinogen is not warranted.”

12 **INTERROGATORY NO. 15:** Please list Monsanto’s net worth for each year since 1974?

13 **RESPONSE TO INTERROGATORY NO. 15:** Monsanto incorporates by reference the
14 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
15 15 because it is compound and contains multiple inappropriate subparts, including because it
16 seeks Monsanto’s net worth for each year for over 40 years, which is the equivalent of seeking
17 over 40 interrogatories. Monsanto objects to Interrogatory No. 15 because it is cumulative
18 and/or duplicative of discovery already served, including because plaintiffs have served a similar
19 Interrogatory request in the *Stevick* matter. Monsanto objects to Interrogatory No. 15 because
20 the phrase “net worth” is vague and ambiguous. Monsanto objects to Interrogatory No. 15 as
21 irrelevant, overbroad, unduly burdensome and not proportional to the needs of this case,
22 including because the “net worth” of Monsanto Company for over a forty-year period is in no
23 way relevant to the claims or defenses in this case. Monsanto objects to Interrogatory No. 15
24 because it seeks information that is publicly available and therefore readily available to plaintiffs,
25 as the burden of obtaining such information is the same for plaintiffs as it would be for
26 Monsanto. Monsanto objects to Interrogatory No. 15 because in combination with its subparts,

1 this Interrogatory exceeds the limit of 25 interrogatories, including all parts and subparts,
2 imposed by Federal Rule of Civil Procedure 33. Monsanto objects to Interrogatory No. 15
3 because discovery is on-going.

4 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
5 Monsanto's net worth at the end of the last quarter when it was computed prior to the merger, the
6 second quarter of 2018, was approximately \$7.8 billion. These figures are publicly available.

7 **INTERROGATORY NO. 16:** Please list Bayer's net worth for each year since its acquisition
8 of Monsanto?

9 **RESPONSE TO INTERROGATORY NO. 16:** Monsanto incorporates by reference the
10 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
11 16 because the phrase "net worth" is vague and ambiguous. Monsanto objects to Interrogatory
12 No. 16 as irrelevant, overbroad, unduly burdensome and not proportional to the needs of this
13 case, including because the "net worth" of Bayer AG is in no way relevant to the claims or
14 defenses in this case. Monsanto objects to Interrogatory No. 16 to the extent it seeks information
15 as to Bayer AG that is not within the possession, custody, or control of Monsanto. Monsanto
16 objects to Interrogatory No. 16 because it seeks information that is publicly available and
17 therefore readily available to plaintiffs, as the burden of obtaining such information is the same
18 for plaintiffs as it would be for Monsanto. Monsanto objects to Interrogatory No. 16 because in
19 combination with its subparts, this Interrogatory exceeds the limit of 25 interrogatories, including
20 all parts and subparts, imposed by Federal Rule of Civil Procedure 33.

21 **INTERROGATORY NO. 17:** Please list Monsanto's annual revenue from glyphosate-based
22 herbicide sales for each year since 1974.

23 **RESPONSE TO INTERROGATORY NO. 17:** Monsanto incorporates by reference the
24 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
25 17 because the phrase "annual revenue" is vague and ambiguous. Monsanto objects to
26 Interrogatory No. 17 as irrelevant, overbroad, unduly burdensome and not proportional to the
27

1 needs of this case, including because the “annual revenue from glyphosate-based herbicide sales”
2 of Monsanto Company for over a forty-year period is in no way relevant to the claims or
3 defenses in this case. Monsanto objects to Interrogatory No. 17 because it is compound and
4 contains multiple inappropriate subparts, including because it seeks information for each year for
5 over 40 years, which is the equivalent of seeking over 40 interrogatories. Monsanto objects to
6 Interrogatory No. 17 to the extent it seeks information that is publicly available and therefore
7 readily available to plaintiffs, as the burden of obtaining such information is the same for
8 plaintiffs as it would be for Monsanto. Monsanto objects to Interrogatory No. 17 because in
9 combination with its subparts, this Interrogatory exceeds the limit of 25 interrogatories, including
10 all parts and subparts, imposed by Federal Rule of Civil Procedure 33. Monsanto objects to
11 Interrogatory No. 17 because discovery is on-going.

12 Subject to, and without waiving the foregoing objections, Monsanto responds as follows:
13 Monsanto directs plaintiffs to publicly available information regarding net sales of Monsanto’s
14 Agricultural Productivity Segment contained in, for example, Monsanto’s Annual Report
15 Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 for the fiscal year ended
16 Aug. 31, 2017 at page 26 , and accessible on the Securities and Exchange Commission’s
17 (“SEC”) publicly accessible and key word searchable website at:

18 [https://www.sec.gov/Archives/edgar/data/1110783/000111078317000187/mon-](https://www.sec.gov/Archives/edgar/data/1110783/000111078317000187/mon-20170831x10k.htm)
19 [20170831x10k.htm](https://www.sec.gov/Archives/edgar/data/1110783/000111078317000187/mon-20170831x10k.htm) (Accessed Dec. 5, 2018).

20 Monsanto also directs plaintiffs to Monsanto’s other publicly available information filed
21 with the SEC, including, but not limited to, annual reports, quarterly reports, and proxy
22 statements, dating back to 2000, located at the following: [https://www.sec.gov/cgi-bin/browse-](https://www.sec.gov/cgi-bin/browse-edgar?action=getcompany&CIK=0001110783&type=&dateb=&owner=exclude&count=100)
23 [edgar?action=getcompany&CIK=0001110783&type=&dateb=&owner=exclude&count=100](https://www.sec.gov/cgi-bin/browse-edgar?action=getcompany&CIK=0001110783&type=&dateb=&owner=exclude&count=100)
24 (Accessed Dec. 5, 2018).

25 **INTERROGATORY NO. 18:** Please list Monsanto’s profit from the sale of glyphosate-based
26 herbicide for each year since 1974.

1 geographically to the claims at issue in this case. Monsanto objects to Interrogatory No. 19
2 because it is cumulative and/or duplicative of discovery already served, including because
3 plaintiffs are seeking this information in Topic No. 8 (Monsanto's knowledge, positions, and
4 conduct pertaining to Proposition 65 and the decision by the California Office of Environmental
5 Health Hazard Assessment ("OEHHA") to list glyphosate as a substance known to the State of
6 California to cause cancer) in their Rule 30(b)(6) Notice of Deposition served on November 9,
7 2018. Monsanto objects to Interrogatory No. 19 because it seeks information that is publicly
8 available and therefore readily available to plaintiffs, as the burden of obtaining such information
9 is the same for plaintiffs as it would be for Monsanto. Monsanto objects to Interrogatory No. 19
10 because it is oppressive, unduly burdensome, overly broad, and not proportional to the needs of
11 this case because plaintiffs are already in possession of this information, have millions of pages
12 of documents, have taken or requested numerous depositions, and can make their own
13 assessments about which "governmental entities" have "banned, restricted the use, or required
14 carcinogenicity warnings for glyphosate-based herbicides." Monsanto objects to Interrogatory
15 No. 19 because in combination with its subparts, this Interrogatory exceeds the limit of 25
16 interrogatories, including all parts and subparts, imposed by Federal Rule of Civil Procedure 33.
17 Monsanto objects to Interrogatory No. 19 because discovery is on-going.

18 **INTERROGATORY NO. 20:** Please identify which regulatory agencies Monsanto will rely on
19 to defend against claims that glyphosate-based herbicides cause non-Hodgkin lymphoma.

20 **RESPONSE TO INTERROGATORY NO. 20:** Monsanto incorporates by reference the
21 foregoing General Objections here as if restated in full. Monsanto objects to the phrase
22 "regulatory agencies" as vague and ambiguous. Monsanto objects to Interrogatory No. 20
23 because it is cumulative and/or duplicative of discovery already served, including because
24 plaintiffs have served similar Interrogatory request in the *Hardeman* matter. Monsanto objects
25 to Interrogatory No. 20 because this Interrogatory exceeds the limit of 25 interrogatories,
26
27

1 including all parts and subparts, imposed by Federal Rule of Civil Procedure 33. Monsanto
2 objects to Interrogatory No. 20 because discovery is on-going.

3 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
4 Since IARC classified glyphosate, regulatory authorities in the United States, Europe, Canada,
5 Korea, Japan, New Zealand and Australia have publicly reaffirmed that glyphosate does not pose
6 a cancer risk to humans. Monsanto will supplement its response to provide information
7 identifying the national regulators that regulate glyphosate and their countries.

8 **INTERROGATORY NO. 21:** Please state how much money Monsanto has paid to Intertek for
9 the manuscripts published in the Critical Reviews in Toxicology related to glyphosate and
10 glyphosate-based formulations in 2016.

11 **RESPONSE TO INTERROGATORY NO. 21:** Monsanto incorporates by reference the
12 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
13 21 because the term “manuscripts” is vague, ambiguous, and lacks specificity. Monsanto objects
14 to Interrogatory No. 21 to the extent it seeks confidential, proprietary and/or trade secret
15 information. Monsanto objects to Interrogatory No. 21 because this Interrogatory exceeds the
16 limit of 25 interrogatories, including all parts and subparts, imposed by Federal Rule of Civil
17 Procedure 33. Monsanto objects to Interrogatory No. 21 because discovery is on-going.

18 Subject to, and without waiving the foregoing objections Monsanto responds as follows:
19 Monsanto entered into a contract with Intertek Health Sciences Inc. to organize and conduct an
20 expert panel to evaluate the science in which IARC concluded that glyphosate belongs in a 2A
21 category. In phase I of this project Intertek Inc. was tasked with organizing, hosting, and
22 facilitating expert panel meeting(s) and requesting feedback from each of the panelists regarding
23 conclusions on the safety of glyphosate before and after each meeting(s). The cost of this phase
24 was not to exceed \$17,250.00. *See, e.g.,* MONGLY00990716-18. Monsanto will supplement
25 its response.

1 **INTERROGATORY NO. 22:** Has Monsanto’s approach to responding to scientific research
2 related to glyphosate and glyphosate-based formulations changed since 1998 through the present.
3 If so, how?

4 **RESPONSE TO INTERROGATORY NO. 22:** Monsanto incorporates by reference the
5 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
6 22 because the term “approach,” “responding to,” and “scientific research” is vague, ambiguous,
7 and lacks specificity. Monsanto objects to Interrogatory No. 22 because in combination with its
8 subparts, this Interrogatory exceeds the limit of 25 interrogatories, including all parts and
9 subparts, imposed by Federal Rule of Civil Procedure 33. Monsanto objects to Interrogatory No.
10 22 because it is cumulative and/or duplicative of discovery already served, including because
11 plaintiffs are seeking this information in Topic No. 15 (Monsanto’s knowledge, positions, and
12 conduct of Monsanto-sponsored analyses, studies, evaluations, and/or testing of GBFs), Topic
13 No. 19 (Monsanto’s knowledge, positions, and conduct related to interactions with the media and
14 press related to IARC’s classification of GBFs as a probable human carcinogen), and Topic No.
15 20 (Monsanto’s knowledge and conduct related to the retraction and/or refutation of scientific
16 papers dealing with the safety of GBFs.) in their Rule 30(b)(6) Notice of Deposition served on
17 November 9, 2018. Monsanto objects to Interrogatory No. 22 because discovery is on-going.

18 **INTERROGATORY NO. 23:** Please identify all Monsanto-sponsored publications in
19 academic, peer-reviewed journals relating to safety and/or efficacy of glyphosate and/or
20 glyphosate-based formulations.

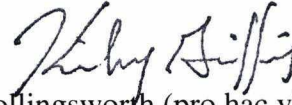
21 **RESPONSE TO INTERROGATORY NO. 23:** Monsanto incorporates by reference the
22 foregoing General Objections here as if restated in full. Monsanto objects to Interrogatory No.
23 23 because it assumes facts not in evidence. Monsanto objects to the term “sponsored” as vague,
24 ambiguous, and lacking specificity. Monsanto objects to Interrogatory No. 23 because it is
25 cumulative and/or duplicative of discovery already served, including because plaintiffs are
26 seeking this information in Topic No. 15 (Monsanto’s knowledge, positions, and conduct of

1 Monsanto-sponsored analyses, studies, evaluations, and/or testing of GBFs), in their Rule
2 30(b)(6) Notice of Deposition served on November 9, 2018. Monsanto objects to Interrogatory
3 No. 22 because this Interrogatory exceeds the limit of 25 interrogatories, including all parts and
4 subparts, imposed by Federal Rule of Civil Procedure 33. Monsanto objects to Interrogatory No.
5 13 because it seeks information that is publicly available and therefore readily available to
6 plaintiffs, as the burden of obtaining such information is the same for plaintiffs as it would be for
7 Monsanto. Monsanto objects to Interrogatory No. 23 because discovery is on-going.

1 DATED: December 10, 2018

Respectfully submitted,

2
3 By:



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10 Attorneys for Defendant
MONSANTO COMPANY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of **Monsanto Company's Responses and Objections to First Set of General Interrogatories** was served upon the parties below via electronic mail and U.S. Mail, postage prepaid, this 10th Day of December 2018:

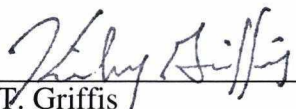
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Attorney for Defendant,
MONSANTO COMPANY

Exhibit C

EXHIBIT C

Plaintiffs identify responsive language **in blue** and the language that Monsanto added to the RFAs that is non-responsive **in red**.

REQUEST NO. 4: Admit that Monsanto has not conducted a long-term animal carcinogenicity study on glyphosate since 1991.

RESPONSE TO REQUEST NO. 4: Monsanto incorporates by reference General Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is cumulative and/or duplicative of discovery already served, including because this request was posed to Monsanto in Plaintiffs' Requests for Admission – Revised (Dated 09/03/17) at RFA No. 11. Notwithstanding Monsanto's objections, **Monsanto ADMITS that, after reasonable inquiry into the information that is known or readily obtainable, it has not identified any 12 month or longer animal chronic toxicity studies that it has conducted on glyphosate since 1991, but Monsanto notes that a significant number of such studies have been conducted by other registrants of glyphosate and that regulators reviewing these studies have concluded that they do not support a finding that glyphosate causes cancer in humans. Monsanto otherwise DENIES this Request.**

REQUEST NO. 5: Admit that Monsanto has never conducted a long-term animal carcinogenicity study on any glyphosate formulation.

RESPONSE TO REQUEST NO. 5: Monsanto incorporates by reference General Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is cumulative and/or duplicative of discovery already served. Monsanto objects to this Request because it assumes facts that are not correct, including because there is no methodology or design that allows for a long-term animal carcinogenicity study on any glyphosate formulation. **Notwithstanding Monsanto's objections, Monsanto ADMITS that it has not conducted a long-term animal carcinogenicity study on any formulated pesticide product. To the extent plaintiffs suggest that conducting long-term animal carcinogenicity studies on glyphosate formulations is a common industry practice, Monsanto DENIES the request and states further that it has not identified any other company or scientific entity who has conducted a long-term animal carcinogenicity study on any formulated pesticide product. Plaintiffs' regulatory expert similarly is not aware of such studies. See Deposition of Charles Benbrook, Ph.D. (Peterson & Hall v. Monsanto Co.) at 211:7-15. Monsanto otherwise DENIES this Request.**

REQUEST NO. 6: Admit that Monsanto is not precluded by any applicable law, regulation, or ordinance from conducting a long-term animal carcinogenicity study [on] a glyphosate formulation.

RESPONSE TO REQUEST NO. 6: Monsanto incorporates by reference General Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is cumulative and/or duplicative of discovery already served. Monsanto objects to the phrase “any applicable law, regulation, or ordinance” as vague, ambiguous, and lacking specificity. **ADMITTED. To the extent plaintiffs suggest that because Monsanto is not prohibited by law to perform long-term animal carcinogenicity studies on a glyphosate formulation, that Monsanto is therefore required to perform long-term animal carcinogenicity studies on glyphosate formulations or that such a study is feasible, Monsanto DENIES this request because there is no methodology or design that allows for a long-term animal carcinogenicity study on any glyphosate formulation that would be deemed acceptable for regulatory purposes.**

REQUEST NO. 7: Admit that Monsanto has never conducted a long-term animal carcinogenicity study on any surfactant used in a glyphosate formulated product.

RESPONSE TO REQUEST NO. 7: Monsanto incorporates by reference General Objections 1-5 here as if restated in full. Monsanto objects to this Request because it is cumulative and/or duplicative of discovery already served. Notwithstanding Monsanto’s objections, **Monsanto ADMITS that it has never conducted a 12 month or longer term animal carcinogenicity study on any surfactants used in glyphosate-based products. To the extent the phrase “long-term animal carcinogenicity study” is intended to apply to studies involving rodents exposed to surfactants for up to four weeks, Monsanto DENIES this request. Studies conducted in rodents orally administered surfactants for four weeks indicate that long-term studies are not feasible. Monsanto does not manufacture the surfactants used in its glyphosate-based formulations and is not required to conduct long-term carcinogenicity testing. Monsanto has generated additional data on safety endpoints for surfactants that it uses in glyphosate-based formulations in the United States as part of its product stewardship efforts. That data was submitted to the EPA along with the data of other pesticide and surfactant manufactures as part of the Joint Inert Task Force submission. See, e.g., Petition Proposing An Exemption From The Requirement Of A Tolerance for Residues Of Joint Inerts Task Force Cluster 4 “Alkyl Amines Polyalkoxylates” In or On Raw Agricultural Products And Food Products. Per Fr, Notice, Vol.71, No. 153, P.45422 § 180.920 [Amended], M,N,O,P., Joint Inert Task Force Support Team Number 4, June 19, 2008 (MONGLY01170026-105). The EPA has stated that no long-term rodent carcinogenicity studies of surfactants used in glyphosate-based products is necessary and concluded that those surfactants are not carcinogenic. See United States Environmental Protection Agency, Memorandum Re: Alkyl Alcohol Alkoxylates (AAA- JITF CST 1 Inert Ingredient), July 14, 2009; United States Environmental Protection Agency, Memorandum Re: Alkyl Alcohol Alkoxylate Phosphate and Sulfate Derivatives (AAAPDs and AAASDs – JITF CST 2 Inert Ingredients), June 8, 2009; United States Environmental Protection Agency, Memorandum Re: Alkyl Amine Polyalkoxylates (JITF CST 4 Inert Ingredients),**

April 3, 2009; United States Environmental Protection Agency, Memorandum Re: Methyl Poly(Oxyethylene) C₈ – C₁₈ Alkylammonium Chlorides (MPOACs – JITF CST 7 Inert Ingredients), June 2, 2009; United States Environmental Protection Agency, Memorandum Re: Sodium and Ammonium Naphthalenesulfonate Formaldehyde Condensates (SANFCs – JITF CST 11 Inert Ingredients), May 28, 2009. Additionally, Monsanto has conducted genotoxicity testing on surfactants used in glyphosate-based products, none of which have shown genotoxic endpoints. *See, e.g.*, Farabaugh, 2009 (MONGLY00603608-45); Flowers, 1982 (MONGLY01318663-83); Murli, 1997 (MONGLY00603709-68).

Exhibit D

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA
JUROR QUESTIONNAIRE

Juror Name: _____ Badge Number: _____

Phone Number: _____ E-mail Address: _____

Please read these instructions carefully before you fill out the questionnaire

This questionnaire is part of the jury selection process and part of the public record of this case. Your answers will be used by the judge and attorneys to help select a qualified jury and will make the jury selection process shorter and easier. Please take as much time as you need to complete this questionnaire.

You are ordered not to discuss this case with anyone; do not allow anyone to discuss the case with you. The only information you may tell anyone is that you are in a jury pool for a trial and the time requirements of that trial. You are also ordered not to read, listen to, or watch any news, Internet, or other media accounts of this case, past or present. You may not do research about any issues involved in the case. You may not blog, Tweet, or use the Internet to obtain or share information. (CCP §1209(a)(10))

It is extremely important that you answer all the questions yourself, honestly and completely. There are no “right” or “wrong” answers, just complete and incomplete ones. All answers are given under penalty of perjury. If you have trouble understanding or filling out this questionnaire, please let the court clerk know.

Some of your answers may require follow-up questions in open court by the judge or by the attorneys. You may find some questions to be sensitive and you may prefer not to discuss your answers in open court. If you find question(s) sensitive, please do not answer the question(s) and simply write “confidential” in the space provided for the answer.

Please do not write on the back of any page. If you need additional space for your answers, use the blank space provided on the last page of the questionnaire.

When you are finished, please give the questionnaire to the clerk who will give you instructions about when to return to court to continue the process of selecting a jury.

Thank you for your jury service.

JUROR QUESTIONNAIRE

NAME (Please print): _____

1. Gender: Male Female Age: _____ Where did you grow up? _____
 Where do you live now? : _____ For how long? _____

2. a. What is the last level of education you completed?
 Grade school or less Some college (no degree)
 Some high school 2-year Associate of Arts degree
 High school graduate 4-year College graduate (Major: _____)
 Technical/Business School Post graduate study (Major/degree: _____)

b. What schools did you attend? _____

c. List area of study and any certificates or degrees you have obtained: _____

3. What is your employment status? (check all that apply)
 Employed full time Homemaker Retired for ___ year(s)
 Employed part-time Full-time Student Unemployed for ___ years
 Other: _____ Part-time Student Looking for work

4. Please list the primary jobs you have had in the past 20 years, beginning with your current or most recent employment. If retired or unemployed, please indicate the last jobs you held outside the home.

Dates of Employment	Employer	Occupation	Duties

7. What is your marital status:
 Single, never married Married for ___ years Divorced/Separated
 Living with partner Widowed/Widower Other: _____

8. What is your spouse/partner's current employment, if any? _____

9. If you have any children please fill in the list below.

Gender	Age	Do they live with you?	Education	Occupation	If married, list their Spouse's Occupation
		<input type="checkbox"/> Yes <input type="checkbox"/> No			
		<input type="checkbox"/> Yes <input type="checkbox"/> No			
		<input type="checkbox"/> Yes <input type="checkbox"/> No			
		<input type="checkbox"/> Yes <input type="checkbox"/> No			

10. Have you, a family member, or someone close to you ever had any training, courses or worked in or around the following areas?

- | | | | |
|------------------------------|------------------------------------|--------------------------------------|---|
| Agriculture/Farming | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Chemistry | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Chemical Engineering | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Environmental Science | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Government/Regulatory Agency | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Law/Legal Field | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Medicine/Nursing/Health Care | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Marketing | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Public Relations | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Risk Assessment | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |
| Statistics | <input type="checkbox"/> Yes, self | <input type="checkbox"/> Yes, family | <input type="checkbox"/> Yes, someone close |

If Yes to any of the above, please explain: _____

11. Have you or anyone close to you ever been diagnosed with any type of cancer?
 Yes, self Yes, family Yes, someone close No If Yes, please explain:

Please explain, including who, type(s) of cancer, date(s) of diagnosis, and his/her treatment and current condition: _____

What is your opinion about what caused the cancer? _____

12. Have you or anyone close to you experienced side effects from exposure to a chemical?
 Yes, self Yes, family Yes someone close No If Yes, please explain, including who, when, what chemical and side effects: _____

13. Have you or anyone close to you ever worked for, done business with, or otherwise had a financial interest in Monsanto Company? Yes No If Yes, please explain: _____

14. Do you or anyone close to you currently use the herbicide (weed killer) sold under the brand name "Roundup"? Yes No Unsure If Yes, please explain:

Who/Relationship to You	Where?	Purpose(s) of Use?	How Often?

15. Have you or anyone close to you ever used the herbicide Roundup in the past? Yes No Unsure

Who/Relationship to You	Where?	Purpose(s) of Use?	How Often?	When?

I declare the above answers to be true of my own knowledge and I sign this questionnaire under penalty of perjury under the laws of the State of California.

Dated: _____

Signature of Juror