EXHIBIT 31

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS LIABILITY LITIGATION	)	MDL No. 2741
THIS DOCUMENT RELATES TO ALL CASES	)	Case No. 16-md-02741-VC

MONDAY, JANUARY 23, 2017

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

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Videotaped deposition of William F. Heydens, Ph.D., held at the offices of HUSCH BLACKWELL, L.L.C., 190 Carondelet Plaza, Suite 600, St. Louis, Missouri, commencing at 9:03 a.m., on the above date, before Carrie A. Campbell, Registered Diplomate Reporter, Certified Realtime Reporter, Illinois, California & Texas Certified Shorthand Reporter, Missouri & Kansas Certified Court Reporter.

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Q. Yes, sir.
That you wrote, right?
A. That's not correct.
Q. Here's what it says in January 2016. You said then, sir, "I had already written a draft introductory chapter back in October/November."
That's what happened, right, sir?
A. Yeah, that's exactly what I was just talking to in the previous -- in my previous response.
Q. Yet when we go to Exhibit 3:4 that you just pointed out, page 16, it says, "Neither Monsanto" -- "neither any Monsanto Company employees nor any attorneys reviewed any of the expert panel manuscripts prior to submission to the journal."
You didn't just review them; you wrote them.
MR. JOHNSTON: Objection.
Vague.
QUESTIONS BY MR. MILLER:
Q. Wrote parts of the expert panel report; you wrote them, right, sir?

MR. JOHNSTON: Objection. Vague. Misstates the testimony and is argumentative.

THE WITNESS: I'll answer again: I wrote a draft introductory chapter for possible use back at the beginning, really, when the panel concept was coming together. That -- and that -- the information that was in there, again, was historical. It had nothing to do with the panel deliberations. Didn't even deal with the data at all because, again, it was historical.

Subsequently it was -- like I said in the previous -- my previous response, you know, moving forward and getting later in time, the journal editor didn't think it was even appropriate to have the chapter, so he had Ashley extract what would be relevant historical information to include in that publication, and that's what Ashley did.

foundation.

QUESTIONS BY MR. MILLER:

Q. Right, Doctor?

A. That's what's stated there.

Q. Okay. Let's take a look at exactly --

A. And this is -- this is really what we've already covered, but go ahead.

Q. Thank you.

This is from William Heydens, February, to Ashley Roberts: "Ashley, I have gone through the entire document and indicated what I think should stay, what can go, and in a couple spots did a little editing."

So those are three of the things you did to that Intertek epi report, right?

MR. JOHNSTON: Objection. Vague and misstates the record.

THE WITNESS: So this is -- I'll go back, and we'll talk about this again. This is what we had talked about previously.

So this is very late stage in

the process. Recall that I had mentioned that when we first -- when this project started that there was going to be four reports, and at that point in time it was not envisioned that there would be a summary document and much less what the authorship might be.

So as the project progressed, the concept for the summary article progressed as well. And what I mean by that is it was decided that the summary -- the overall summary article would be authored by all -- was it 16? -- of them.

And so what we're looking at here, this is a point in the process. So initially they were reviewing their own sections, and so they very easily could agree amongst themselves. What I mean by that is the epidemiologists could agree amongst themselves what they thought they should say about the epidemiology, the gene tox folks, so on and so forth.

So now we've gone through that whole process and they're at the point where, as I just described, they're all going to be authors on this paper. So then they start reviewing each others' -- another -- you can think of it as another level of peer review, if you will, where they were reviewing what the others had written.

So in these e-mail communications, the epidemiologists did a very hard look at the animal -- from the animal bioassay group, and they're actually critiquing -- the epidemiologists are actually critiquing some of the things that were said in the other; most notably, one of them that I'm looking at right here talking about Hill's criteria.

So the epidemiologists didn't think that the toxicologists should be talking about Hill's criteria when -- and they're just flat out wrong, quite honestly, because if you go read, for instance, EPA's cancer risk assessment

guidelines, which they used on glyphosate and use on other things as well, they very clearly say that there's a modified form of Hill's criteria. So anyway, there was questions amongst -- around them about that.

Another thing that sticks out in here, as I look at this, where there was some disagreement -- and I think we actually touched on this earlier in the day, where the different panels took somewhat different approaches. So I think I mentioned how the epidemiologists, when they did their review, they didn't really want to do it from the standpoint of here's what IARC got wrong. They did it just, what is all the data, what does the data tell us, here's our conclusions.

The animal people -- when I say "the animal," I mean the animal bioassay group, because they worked in their sections in isolation

previously. They did do some criticisms, some direct criticisms, of founded -- well-founded criticisms of IARC, and some reference of that made it into their publication. When the -- and some of that drained over into the overall review publication.

So when the epidemiologists saw that, they didn't think that it was appropriate. So there was some dialog back and forth about that.

So when you look at this document here and you see some editing, what was going on at that point in time. John, being the good soul that he is, he stepped in and was trying to make it easy for Ashley -- he was trying to be kind of a go-between, I guess, if you will, between the epidemiologists and Ashley and the animal people to try and bring this to some resolution.

And so John, as part of that, he suggested a number of edits which are reflected in this document. You

can see some of them; you can't see others. I don't know why that is. There appears to be some problem with picking up the editing function.

But anyway, that's what happened. And then -- so Ashley -- that's what Ashley sent to me and basically said, "Hey, look what John did."

And I went through his comments. And that's what we talked about earlier this morning where I said I made some comments about John's comments, sent them back to Ashley, and then Ashley dealt with them as he -- as he saw appropriate.

MR. MILLER: Objection. Move to strike as unresponsive.

QUESTIONS BY MR. MILLER:

Q. Let's look at Exhibit 3-20.

MR. JOHNSTON: Objection. You asked the question, Counsel. He answered your question.

QUESTIONS BY MR. MILLER:

Q. Let's look at Exhibit 3-20.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS LIABILITY LITIGATION	)	MDL No. 2741
THIS DOCUMENT RELATES TO ALL CASES	)	Case No. 16-md-02741-VC

TUESDAY, JANUARY 24, 2017

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

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Videotaped deposition of William Heydens, Ph.D., Volume II, held at the offices of HUSCH BLACKWELL, L.L.C., 190 Carondelet Plaza, Suite 600, St. Louis, Missouri, commencing at 9:04 a.m., on the above date, before Carrie A. Campbell, Registered Diplomate Reporter, Certified Realtime Reporter, Illinois, California & Texas Certified Shorthand Reporter, Missouri & Kansas Certified Court Reporter.

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anyone on the phone call?

MR. TRAVERS: Jeff Travers from The Miller Firm.

MR. MILLER: Good morning, Jeff Travers from The Miller Firm.

Who else? Anyone?

MR. JOHNSTON: And the plaintiffs' counsel attending in person is the same as was present yesterday.

CROSS-EXAMINATION

QUESTIONS BY MR. JOHNSTON:

Q. Good morning, Dr. Heydens.

A. Good morning.

Q. My name is Robert Johnston. I represent Monsanto in this case. We've met before, have we not?

A. Yes, we have.

Q. Can you tell the jury what your profession is, Dr. Heydens?

A. Yes. I'm a toxicologist by profession.

Q. And what is your current title at Monsanto?

A. Currently I'm product safety

assessment strategy lead.

Q. And can you tell the jury what you do in that role?

A. In that role, my job is to work with other scientists as we get new products that come in that would need to be tested for safety to work on, devise the overall testing strategy and sets of studies that we would do to support the safety of that product.

Q. Are there standard studies or a guide to what kind of studies need to be done for a new product?

A. There are for some -- for the traditional pesticides, there are a set of guideline studies. A couple different sets of guideline studies that we can use and we can -- if necessary, we can adapt those for a different product concept.

Q. Are there any required studies that would have to be done for a new herbicide or pesticide?

A. For new pesticides, for which herbicide is one, yes, there's a whole set of studies, a very comprehensive set of studies that need to be done, all way from acutes,

A. Yes, there was.

Q. Who was that?

A. At the time that I took that over, that would have been Donna Farmer.

Q. How much work did you do with glyphosate as the director of the toxicology group?

A. Very, very little for that period of time. Because the other thing that was happening shortly after I became the director of the toxicology group, I also became the co-lead for what was -- what Monsanto called the product safety center. And the product safety center was responsible for -- that was the group where the group of scientists was housed who were responsible for demonstrating the safety of Monsanto's biotechnology portfolio. And that's a portfolio that in the early 2000s was growing rather significantly, and so I found myself spending more and more time working in those areas and less on the traditional chemicals like glyphosate.

Q. What type of products were in the biotechnology area?

A. "It was concluded that, under present and expected conditions of use, Roundup herbicide does not pose a health risk to humans."

Q. Now, I want to look back at the acknowledgements for this paper on page 160 of the journal.

I want you to start with the authors in the acknowledgement, and can you read that for the jury, please?

A. "The authors were given complete access to toxicological information contained in the great number of laboratory studies and archival material at Monsanto in St. Louis, Missouri, and elsewhere. Key personnel at Monsanto who provided scientific support were William F. Heydens, Donna R. Farmer, Marian S. Bleeke, Steven J. Wratten, and Catherine H. Carr."

Q. Okay. You can stop there.

Your name is in that list of folks, correct?

A. That is correct.

Q. And so this paper disclosed in the acknowledgements that you were involved