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**WILKINSON WALSH + ESKOVITZ LLP**

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*Attorneys for Defendant*  
**MONSANTO COMPANY**

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

IN RE: ROUNDUP PRODUCTS  
LIABILITY LITIGATION

MDL No. 2741

**NOTICE OF FILING SUPERSEDEAS  
BOND**

\_\_\_\_\_  
*This document relates to:*  
*Hardeman v. Monsanto Co., et*  
*al., 3:16-cv-0525-VC*

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**NOTICE OF FILING**

**TO THE CLERK OF COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE NOTICE** that Defendant Monsanto Company hereby files its supersedeas bond in the amount of \$100,334,542.63, pending approval of the bond by the Court. Pursuant to the instruction of the Northern District of California Clerk’s office, Monsanto is electronically filing a copy of the bond, but can file the original with the Court upon request. A true and correct copy of the bond is attached hereto as Exhibit A. Unless and until the Court so requests, Monsanto’s counsel shall retain the original document.

Dated: June 3, 2019

By: /s/ Brian L. Stekloff

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Attorneys for Defendant Monsanto Company

# EXHIBIT A

**WILKINSON WALSH + ESKOVITZ LLP**

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Tel: 202-662-6000

*Attorneys for Defendant*  
**MONSANTO COMPANY**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS  
LIABILITY LITIGATION

\_\_\_\_\_  
*Hardeman v. Monsanto Co., et al.,*  
3:16-cv-0525-VC

) MDL No. 2741  
)  
) Case No. 3:16-md-02741-VC  
)  
) **MONSANTO COMPANY'S**  
) **SUPERSEDEAS BOND AS TO**  
) **JUDGMENT IN CASE NO. 3:16-cv-0525-**  
) **VC (HARDEMAN V. MONSANTO CO.)**

**SUPERSEDEAS BOND**

1  
2 We, Defendant Monsanto Company, as principal, and Liberty Mutual Insurance  
3 Company, a corporation incorporated under the laws of the State of Massachusetts; and duly  
4 licensed and authorized to carry on a surety business in the State of California, as surety, are held  
5 and firmly bound to Edwin Hardeman, the Plaintiff in the above-entitled action, in the sum of  
6 One Hundred Million Three Hundred Thirty Four Thousand Five Hundred Forty Two and  
7 63/100 Dollars (\$100,334,542.63), to be paid to said Edwin Hardeman, for which payment, well  
8 and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, or  
9 assigns, jointly and severally, by this instrument.

10 Whereas, on May 3, 2019, in an action pending in the above court, between Edwin  
11 Hardeman, as Plaintiff, and Monsanto Company, as Defendant, Judgment was rendered against  
12 Monsanto Company, and Monsanto Company having applied for and obtained an Order of the  
13 District Court staying enforcement of such Judgment, which stay shall remain in effect pursuant  
14 to Federal Rule of Civil Procedure (“FRCP”) 62 during the pendency of post-trial motions under  
15 FRCP 59 and 60, and appeal, if any, to the United States Court of Appeals for the Ninth Circuit  
16 until the mandate from the Ninth Circuit issues.

17 Wherefore, the condition of this obligation is that if Monsanto Company shall prosecute  
18 its appeals to effect and shall satisfy the Judgment in full, together with costs, interest, and  
19 damages for delay if the appeals are finally dismissed or if the Judgment is affirmed and the  
20 mandate has issued, or if Monsanto Company shall satisfy in full such Judgment as modified  
21 together with such costs, interest, and damages for delay as the court of appeals may adjudge and  
22 award, this obligation shall be void; otherwise it shall remain in full force and effect.

23 Pursuant to Rule 8(b) of the Federal Rules of Appellate Procedure, Liberty Mutual  
24 Insurance Company, as surety, submits itself to the jurisdiction of the district court and  
25 irrevocably appoints the clerk of the district court as its agent upon whom any papers effecting  
26 its liability on this obligation may be served.

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1 DATED:

2 For the principal:

Monsanto Company

3

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By 

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SCOTT PARTRIDGE  
SECRETARY

6

7

8 For the surety:

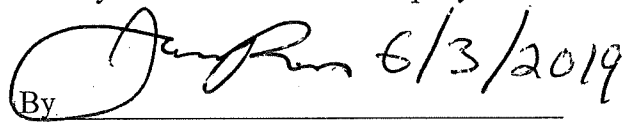
9 Amount of Premium \$ 215,719.00

10



Liberty Mutual Insurance Company

11

By 

12

James Ross, Attorney-in-Fact

13

Liberty Mutual Surety

14

Home Office: 2200 Renaissance Blvd.,

15

Suite 400, King of Prussia, PA 19406-2755

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Local Office: 255 California Street, 950

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San Francisco, CA 94111

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STATE OF NEW JERSEY :

SS.

COUNTY OF MORRIS :

On this 29<sup>th</sup> day of May, 2019, before me personally came Scott Partridge, to me known to be the person who executed the foregoing instrument and who, being duly sworn by me, did depose and say that he is the Secretary of Monsanto Company, incorporated in the State of Delaware, and that he executed the foregoing instrument in the name of said Corporation and that he had authority to sign the same and he acknowledged to me that he executed the same as the act and deed of said Corporation for the uses and purposes therein mentioned.



Notary Public of the  
State of New Jersey

**KAREN VAN EASTEREN**  
A Notary Public of New Jersey  
My Commission Expires September 24, 2022

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of SAN FRANCISCO )  
On June 3, 2019 before me, Teresa R. PABAFINA, Notary Public,  
Date Here Insert Name and Title of the Officer  
personally appeared James Andrew Ross  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Teresa R. Pabafina  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_



THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND. This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Certificate No. 8186704

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Victoria Dolan; Janet E. Fitzgerald; Danielle Lacombe; Ian McCormick; Lisa M. Merlin; Peggy Miles; Atsushi Miyamoto; Michael T. Oliver, Jr.; Stacy Ross; James Ross; Peter Scheinman; Melinda Thomas; Grace Varela-Martinez; Raymond Wu

all of the city of San Francisco, state of CA, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 23rd day of August, 2018



The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 23rd day of August, 2018, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Upper Merion Twp., Montgomery County  
My Commission Expires March 28, 2021  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 3rd day of June, 2019



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.