

**[Products Liability Law Daily Wrap Up, TOP STORY—JURY VERDICTS—
Cal. Super.: Monsanto hit with \\$289M verdict in Roundup lawsuit, \(Aug. 13, 2018\)](#)**

Products Liability Law Daily Wrap Up

[Click to open document in a browser](#)

By Georgia D. Koutouzos, J.D.

A California state court jury returned a verdict against agrochemical giant Monsanto Company in a lawsuit by a former groundskeeper who claimed that he developed terminal cancer due to his repeated exposure to Roundup herbicide. In the first case of its kind to proceed to trial, the jury awarded the dying man \$39.2 million in compensatory damages and \$250 million in punitive damages, finding that the glyphosate-based Roundup caused him to develop non-Hodgkin's lymphoma, that the company failed to warn of this health hazard, and that it acted with malice or oppression (*Johnson v. Monsanto Co.*, August 10, 2018, Bolanos, S.).

During his work as a groundskeeper for a San Francisco Bay Area school district, part of the plaintiff's job during 2012–2015 was to apply Monsanto herbicides to school properties, among which was Roundup, a glyphosate-based broad-spectrum herbicide marketed by Monsanto as a "safe" general-purpose herbicide for widespread commercial and consumer use. In 2014, he began to experience severe skin irritation and ultimately was diagnosed with lymphoma at age 42. After his diagnosis, the groundskeeper's job still required him to apply and be in close contact with Roundup.

Despite chemotherapy, the groundskeeper's cancer progressed, and he filed suit against Monsanto and others in 2016. The [complaint](#) in his lawsuit alleged causes of action against Monsanto for strict liability design defect and failure to warn, as well as negligence, breach of implied warranties, and punitive damages. The case went to trial in June 2018 and, after an eight-week trial, the jury unanimously concluded that Roundup weed killer caused the groundskeeper to develop cancer and that Monsanto failed to warn of that severe health hazard.

In addition, the jury found that Monsanto was liable for punitive damages because it had known of the potential health hazards of its glyphosate-based products but nevertheless had intentionally concealed or had recklessly failed to disclose those hazards to the public in order to ensure continued and increased sales of those herbicides, according to a [press release](#) on the verdict by one of the law firms acting as counsel for the plaintiff.

The case is No. CGC-16-550128.

Attorneys: Brent Wisner (Baum Hedlund Aristei and Goldman PC), David Dickens (The Miller Firm), and Mark Burton (Audet & Partners LLP) for Dewayne Johnson. George Lombardi (Winston & Strawn) for Monsanto Co.

Companies: Monsanto Co.

MainStory: TopStory JuryVerdictsNewsStory ChemicalNews DamagesNews WarningsNews CausationNews CaliforniaNews