

Ninety-Three Law Firms, 167 Lawyers File Brief Opposing Proposed Settlement of Future Roundup Claims

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Ninety-three law firms and 167 lawyers from across the nation filed a brief in federal court in San Francisco today opposing a proposed class action settlement of all future claims against Monsanto by injured people charging that Roundup caused their cancer – including claims by people who have no injury or cancer now and may not have any for decades. The proposed settlement would eliminate all class members’ claims for punitive damages and medical monitoring, create a secret science panel to see if its members agree with all three juries to hear the evidence that Roundup causes non-Hodgkin’s lymphoma (a deadly form of cancer), and stay all Roundup litigation for four years. It is the second attempt to use a class action to settle potential future Roundup claims.

“Last July, the Court quickly and forcefully rejected the first proposed class action settlement of Roundup victims’ future claims, which it called Plan A,” said Arthur H. Bryant of Bailey Glasser’s office in Oakland, CA, the lead author of the brief and former Chairman of Public Justice. “This second, rehashed Plan B deserves the same fate. Incredibly, the proposed settlement stays all litigation for four years and bars all class members from seeking punitive damages forever while it allows Monsanto to keep selling Roundup and causing cancer as long as it wants. There is simply no legal basis for this – or many other aspects of the proposed settlement. It’s an unconscionable gift to Monsanto.”

The *amici curiae* (“friend of the court”) brief was co-authored by Benjamin L. Bailey of Bailey Glasser in Charleston, WV, and Joshua I. Hammack of Bailey Glasser in Washington, DC.

The ninety-three law firms and 167 lawyers opposing the proposed settlement have extensive and detailed experience representing people injured physically, emotionally, or financially by the conduct of others. Their motion for leave to file the brief says the proposed settlement seriously endangers access to justice for millions of people in the proposed class, would prevent Monsanto’s victims from holding it accountable, and would reward Monsanto in numerous respects.

NINETY-THREE LAW FIRMS, 167 LAWYERS FILE BRIEF OPPOSING PROPOSED SETTLEMENT OF FUTURE ROUNDUP CLAIMS

It states: “While there are many problems with the proposed class action settlement, including that most of the proposed class members cannot adequately be notified of its terms, our *amici curiae* brief, short and to the point, focuses on three of them: (1) the wholesale release of punitive damages, (2) the four-year stay on judicial proceedings, and (3) the secret science panel. Each of these violates core principles of America’s system of justice—and requires that preliminary approval of the proposed settlement be denied.”

A hearing on whether to preliminarily approve the proposed settlement is scheduled before U.S. District Court Judge Vince Chhabria in San Francisco at 10 am Pacific Time on March 31, 2021.

To see the brief, [click here](#).

About Bailey Glasser LLP

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