

## Following two glyphosate-cancer lawsuit defeats, here's how Bayer may shore up its legal losses

San Francisco federal judge Vince Chhabria's decision to split up the pivotal bellwether trials over an alleged link between Monsanto's herbicide Roundup and cancer was controversial. Long perceived by its critics as deceitful and greedy, the agrochemical giant would finally be judged solely on the science.

But some observers questioned how a jury could judge the science many say Monsanto manipulated for decades, and accused Chhabria of bias. Legal experts predicted the defense-friendly ruling would help exonerate Monsanto because jurors would hear the company's strongest arguments before allegations of malfeasance....

But in March, the federal jury that heard the first bifurcated trial found the Bayer AG subsidiary liable for not warning plaintiff Ed Hardeman of Roundup's cancer risks and awarded him \$80 million in damages.

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That's a blow for Monsanto, which has always argued the science proves glyphosate is safe. The company may now try more cases and appeal adverse verdicts before seriously negotiating a settlement.

"Even if they lose, they get them reversed on appeal and take the wind out of their sails," said [Alexandra Lahav, a law professor at the University of Connecticut] when asked what Monsanto might do post-*Hardeman*....

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