

Back to court? 300 lawyers challenge Bayer's \$2 Billion settlement proposal for future Roundup class-action lawsuits

Tens of thousands of people have sued Monsanto owner Bayer AG alleging their non-Hodgkin's lymphoma and other cancers were caused by glyphosate, the active ingredient in Monsanto's Roundup herbicide.

Three cases brought by Lee Johnson, Edwin Hardeman, and Alva and Alberta Pilliod went to trial.

And in each case, the courts found the Roundup caused the cancers, that Monsanto hid the risks, and that compensatory and punitive damages were justified.

Bayer wants to resolve the thousands of remaining cancer claims with an \$8 billion to \$9 billion compensation fund. Those cases are being negotiated by Monsanto lawyers and the lawyers representing the cancer victims.

[su_panel color="#3A3A3A" border="1px solid #3A3A3A" radius="2" text_align="left"]**Editor's note: Most experts say that glyphosate is unlikely to cause cancer. Read GLP's [glyphosate FAQ](#) to learn more.**
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A handful of class action lawyers, led by Elizabeth Cabraser and Sam Issacharoff, proposed a settlement that would put a four year hold on any Roundup litigation against Bayer, prohibit punitive damage claims against Bayer, and set up a secret science panel.

That proposal was rejected by a federal judge sitting in San Francisco – U.S. District Court Judge Vince Chhabria.

Now, the settlement lawyers have come back with a revised \$2 billion proposal.

A May 12 public hearing is scheduled before Judge Chhabria.

More than 300 lawyers have challenged the settlement.

One of those lawyers is Gerson Smoger of Dallas, Texas.

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"I'm challenging this because it's an abomination to the tort system," Smoger told Corporate Crime Reporter in an interview [recently]. "Monsanto continues making this material without any restrictions. Roundup will stay on the market. People's future lifetime exposure to Roundup is included in the settlement, even though they haven't been exposed yet for a product that is going to continue to go on the market."

"There is a four year stay on all litigation. And the stay is not just against people with non-Hodgkin's

lymphoma. That stay includes all contract claims against Monsanto. Nothing can be brought for four years. At the end of four years, every single person in the United States who has been exposed to Roundup can never sue Monsanto for punitive damages or medical monitoring.”

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Why would these class action attorneys tie the hands of victims? No punitives. No lawsuits for four years. Limited amounts of recoveries even if they entered the settlement agreement?

“It’s hard for me to say. And this has occurred over the years for both Elizabeth and Sam. I believe the importance of the tort system is in vindicating individual rights. Individuals have a right to decide their own fate and bring their own lawsuits.”

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