

June 21, 2019

Benson quoted in Law360's article Top Product Liability Cases Of 2019: Midyear Review

Law360

Michael Best Partner Paul Benson was recently quoted in *Law360*'s article, "Top Product Liability Cases Of 2019: Midyear Review."

So far this year, Monsanto has been hit with more than \$2 billion in damages over claims that it failed to warn of the cancer risks of its popular Roundup weedkiller. Meanwhile, the U.S. Supreme Court has clarified the "clear-evidence" standard for failure-to-warn cases, while Connecticut's top court put a dent in the federal law protecting gunmakers from liability when firearms are used in crimes.

So far in 2019, Monsanto has been hit with two eye-popping verdicts in trials over claims that it failed to warn of the cancer risks of its popular Roundup weedkiller.

In the first federal bellwether in March, a unanimous California federal jury unanimously awarded plaintiff Ed Hardeman more than \$80 million in damages after a two-part trial on his claims that decades of using Roundup on his 56-acre Santa Rosa property caused his non-Hodgkin's lymphoma. In the first causation phase of the trial, the jury found that Roundup was a substantial factor in causing Hardeman's cancer.

Then in May, a California jury awarded Alva and Alberta Pilliod a whopping \$2.05 billion in damages, finding Roundup was a significant contributing factor of their non-Hodgkin's lymphoma.

Their case was the third to go to trial out of 13,400 pending that allege Roundup causes cancer, after a state jury last summer awarded former school groundskeeper DeWayne "Lee" Johnson \$289 million, which a judge later cut down to \$78 million.

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“Those verdicts are hard to ignore and so where exactly that’s going to go, is it going to expand beyond [where] it already is? Probably,” said Paul Benson of Michael Best & Friedrich LLP. “When you see those kind of numbers, it’s not unusual to get more lawsuits.”

To read the full article, [click here](#).

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