

The Legal Intelligencer

THE OLDEST LAW JOURNAL IN THE UNITED STATES 1843 - 2019

Philadelphia Jury Hits Monsanto With \$2.25B Roundup Verdict

The award appears to be the largest Roundup verdict yet, taking over a spot previously held by a \$2 billion verdict reached in 2019.

January 26, 2024 at 05:02 PM

Aleeza Furman [More from This Author](#)

Litigation Reporter

A Philadelphia jury hit Monsanto with a \$2.25 billion verdict Friday afternoon.

The jury awarded \$250 million compensatory damages and \$2 billion punitive damages to the plaintiff John McKivison for his claims that Monsanto's Roundup weedkiller caused him to develop non-Hodgkin lymphoma.

The award appears to be the largest Roundup verdict yet, taking over a spot previously held by a \$2 billion verdict reached in 2019.

Kline & Specter's Thomas Kline and Arnold & Itkin's Jason Itkin, who represented plaintiff McKivison, said in a joint statement, "The jury's unanimous verdict was a condemnation of 50 years of misconduct by Monsanto and a declaration that its misconduct was in reckless disregard of human safety and a substantial cause of John McKivison's cancer."

A spokesperson for Monsanto's parent company Bayer said the defendants disagree with the jury's finding and "believe that we have strong arguments on appeal to get this verdict overturned and the unconstitutionally excessive damage award eliminated or reduced."

McKivison claimed that he developed non-Hodgkin lymphoma as a result of his regular use of Roundup in the course of his work and around his home. He alleged that Monsanto used its influence to impact scientific literature on the safety of Roundup and its contents.

Monsanto, represented by McDermott Will & Emery and Nelson Mullins Riley & Scarborough, contended that its product was safe and that non-Hodgkin lymphoma is caused by random mutations rather than environmental factors.

The case, captioned McKivison v. Nouryon, was tried before Judge Susan Schulman of the Philadelphia Court of Common Pleas

The verdict is the largest of three to so far come out of the Philadelphia Court of Common Pleas' Roundup mass tort program, all of which have been in plaintiffs' favor.

The last Philadelphia Roundup verdict was a \$3.5 million award in December. It followed a \$175 million verdict in October, won by the same plaintiffs team that represented McKivison.

Monsanto is currently seeking to overturn both verdicts.

The last Roundup trial before McKivison ended in a Monsanto victory in California, which put an end to a five-verdict string of plaintiff wins in the Roundup litigation. Prior to the plaintiff streak, which totaled more than \$2 billion, Monsanto had its own run of courtroom success, having notched nine consecutive defense wins.

The Bayer spokesperson noted that "previous damage awards have been reduced by more than 90% overall in final judgments."