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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA

COORDINATION PROCEEDING SPECIAL
TITLE (RULE 3.550)
ROUNDUP PRODUCTS CASES

THIS DOCUMENT RELATES TO:
Pilliod, et al. v. Monsanto Company, et al.
Case No.: RG17862702

JCCP NO. 4953
ASSIGNED FOR ALL PURPOSES TO
JUDGE WINIFRED SMITH

DEPARTMENT 21

**VERDICT FORM FOR
ALVA PILLIOD**

Trial Date: March 18, 2019

1 **VERDICT FORM**

2 **PLAINTIFF ALVA PILLIOD**

3 We, the Jury, answer the questions submitted to us as follows:

4 **CLAIM OF DESIGN DEFECT**

- 5
- 6 1. Did Roundup fail to perform as safely as an ordinary consumer would have expected when used or misused in an intended or reasonably foreseeable way?

7

8 Yes

9

No

10

11 If your answer to question 1 is yes, then answer question 2. If you answered no, proceed to question 3.

- 12
- 13 2. Was the design of Roundup a substantial factor in causing harm to Alva Pilliod?

14 Yes

15

No

16

17 Answer question 3.

18

19 **CLAIM OF STRICT LIABILITY—FAILURE TO WARN**

- 20 3. Did Roundup have potential risks that were known or knowable in light of the scientific and medical knowledge that was generally accepted in the scientific community at the time of their manufacture, distribution or sale?

21

22

23 Yes

24

No

25

26 If your answer to question 3 is yes, then answer question 4. If you answered no, proceed to question 8.

1 4. Did the potential risks of Roundup present a substantial danger to persons when used in
2 accordance with widespread and commonly recognized practice?

3 Yes

No

4

5 If your answer to question 4 is yes, then answer question 5. If you answered no, proceed to
6 question 8.

7 5. Would ordinary consumers have recognized the potential risks?

8 Yes

No

9

10

11
12 If your answer to question 5 is no, then answer question 6. If you answered yes, proceed to
13 question 8.

14 6. Did Monsanto fail to adequately warn of the potential risks?

15 Yes

No

16

17

18 If your answer to question 6 is yes, then answer question 7. If you answered no, proceed to
19 question 8.

20 7. Was the lack of sufficient warnings a substantial factor in causing harm to Alva Pilliod?

21 Yes

No

22

23

24 Go to question 8.
25
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27
28

CLAIM OF NEGLIGENCE

1 8. Was Monsanto negligent in designing, manufacturing, or supplying Roundup?
2

3 Yes

No

4

5 If your answer to question 8 is yes, then answer question 9. If you answered no, proceed to
6 question 10.

7
8 9. Was Monsanto's negligence a substantial factor in causing harm to Alva Pilliod?

9 Yes

No

10

11 Go to Question 10.
12

13 **CLAIM OF NEGLIGENT FAILURE TO WARN**

14 10. Did Monsanto know or should it reasonably have known that Roundup was dangerous or was
15 likely to be dangerous when used in accordance with widespread and commonly recognized
16 practice?

17 Yes

No

18

19
20 If your answer to question 10 is yes, then answer question 11. If you answered no, proceed to
21 question 15.

22 11. Did Monsanto know or should it reasonably have known that users would not realize the danger?
23

24 Yes

No

25

26
27 If your answer to question 11 is yes, then answer question 12. If you answered no, proceed to
28 question 15.

1 12. Did Monsanto fail to adequately warn of the danger or instruct on the safe use of Roundup?

2 Yes

No

3

4 If your answer to question 12 is yes, then answer question 13. If you answered no, proceed to
5 question 15.

6
7 13. Would a reasonable manufacturer, distributor, or seller under the same or similar circumstances
8 have warned of the danger or instructed on the safe use of Roundup?

9 Yes

No

10

11 If your answer to question 13 is yes, then answer question 14. If you answered no, proceed to
12 question 15.

13 14. Was Monsanto's failure to warn a substantial factor in causing harm to Alva Pilliod?

14 Yes

No

15

16
17
18 Go to Question 15.

19
20 **CLAIM OF DAMAGES**

21 If you answered yes to question 2, 7, 9, or 14, then answer the questions below about damages for Alva
22 Pilliod. If you did not answer or answered no to question 2, 7, 9 and 14, stop here, answer no further
23 questions, and have the presiding juror sign and date this form.

24 15. What are Alva Pilliod's damages?

25 Past economic loss: * \$ _____

26
27 Past noneconomic loss: \$ _____

28 _____
* If liability is found, the amount stipulated by the parties for past economic damages is \$47,296.01

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Future noneconomic loss: \$ _____

Go to Question 16.

PUNITIVE DAMAGES

16. Did Monsanto engage in conduct with malice, oppression or fraud committed by one or more officers, directors or managing agents of Monsanto acting on behalf of Monsanto?

Yes

No

If your answer to question 16 is yes, then answer question 17. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

17. What amount of punitive damages, if any, do you award to Alva Pilliod?

\$ _____

Signed: _____
Presiding Juror

Dated: _____