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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

ALVA PILLIOD, ET AL.,

V.

MONSANTO COMPANY

Case No.: RG17862702

Hon. Judge Winifred Smith
Department 21

**PLAINTIFFS' NOTICE OF ACCEPTANCE OF
REMITTITUR**

BY FAX

TO THE COURT, DEFENDANT AND ITS COUNSEL OF RECORD:

NOTICE IS HEREBY GIVEN that pursuant to the Court's Order dated July 25, 2019 conditionally denying Monsanto's Motion for New Trial and CCP § 662.5, Plaintiff Alva Pilliod will accept the reduction of total damages to the amount of \$30,736,480.00 and Plaintiff Alberta Pilliod will accept the reduction of total damages to the amount of \$56,005,830.00. The Plaintiff accepts the remittitur with the intent to avoid the further burden of a new trial or appeal. If the Defendant appeals the Court's July 25, 2019 order on any grounds and thereby deprives Plaintiffs of "the benefits [they have] sought by [their] consent to the remittitur," then the Plaintiffs do not waive their right to appeal the reduction of compensatory and punitive damages. *Miller v. Nat'l Am. Life Ins. Co.* (Ct. App. 1976) 54 Cal. App. 3d 331, 345.

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Dated: July 26, 2019

Respectfully Submitted,

THE MILLER FIRM, LLC

/s/ Curtis G. Hoke
Michael J. Miller (appearance *pro hac vice*)
David Dickens (appearance *pro hac vice*)
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PROOF OF SERVICE

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I, Jeffrey Travers, declare as follows:

I am a citizen of the United States and am employed in Orange County, Virginia. I am over the age of eighteen years and not a party to the within action. My business address is 108 Railroad Avenue, Orange, Virginia 22960. On **July 26, 2019**, I served the following documents by the method indicated below:

PLAINTIFFS’ NOTICE OF ACCEPTANCE OF REMITTITUR

By Electronic Service: Pursuant to Case Management Order No. 2, a true and correct copy of the document(s) described above was electronically served by transmission to CASE ANYWHERE on all parties appearing on the CASE ANYWHERE service list.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 26, 2019 at Orange, Virginia.

/s/ Jeffrey Travers
Jeffrey Travers,
Declarant