

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS  
LIABILITY LITIGATION

MDL No. 2741

Case No. 16-md-02741-VC

This document relates to:  
*ALL CASES*

**PRETRIAL ORDER NO. 240:  
ORDER REQUIRING  
PARTICIPATION IN SPECIAL  
MASTER PROGRAM**

Court-appointed Special Master Ken Feinberg has established a program to allow plaintiffs in this MDL to receive an offer of a payment to settle their cases. Every current and future plaintiff in this MDL who has not already reached a settlement with Monsanto is ordered to participate in the program.

Pursuant to the program, counsel for individual plaintiffs (or the plaintiffs themselves, if they are unrepresented) will receive a letter from the Special Master requesting certain information (and supporting documentation) regarding their claims. Every plaintiff is ordered to submit the information requested by the Special Master by the deadline he establishes. Failure to do so will be deemed a violation of this order.

Once the Special Master has received the information from the plaintiff, Monsanto will be given an opportunity to submit its own information regarding the plaintiff's claims. Pursuant to Monsanto's consent, the Special Master will then consider all the information submitted regarding the plaintiff's claims and make a written settlement offer to the plaintiff, based on his independent analysis of the claims. Once the Special Master has made this offer, it is binding on

Monsanto—the company is required to pay it if the plaintiff accepts. The plaintiff may either accept or reject the offer, but there will be no further negotiation once the Special Master has conducted his analysis and made his offer.

There is no penalty for refusal of an offer, and there will be no delay in the litigation process while a plaintiff timely participates in the Special Master’s program. However, if a plaintiff fails to participate in the program in accordance with the deadlines set by the Special Master, that could result in a delay of the litigation, and it will be deemed a violation of this order, which could result in sanctions.

The Special Master will contact each plaintiff; plaintiffs do not need to reach out to him.

**IT IS SO ORDERED.**

Dated: July 23, 2021



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VINCE CHHABRIA  
United States District Judge