

INTO THE WEEDS

Dewayne "Lee" Johnson vs. Monsanto Company

A film by Jennifer Baichwal

Canada / 2022 / 96 mins / Color / English

** Opening night film, Hot Docs festival 2022 **

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FILM SYNOPSIS

Does the most widely used weed killer in the world cause cancer? *Into the Weeds: Dewayne "Lee" Johnson vs. Monsanto Company* follows the story of groundskeeper Lee Johnson and his fight for justice against agricultural giant Monsanto (now Bayer, which bought the company in 2018), the manufacturer of the weed killer, Roundup.

In 2015, the International Agency for Research on Cancer (IARC), a branch of the World Health Organization, classified glyphosate - the active ingredient in Roundup - as "probably carcinogenic to humans." A year later, Lee Johnson filed a lawsuit claiming that Ranger Pro, a commercial-grade variant of Roundup, was a substantial contributing factor in causing his Non-Hodgkin's lymphoma. Johnson's was the first 'bellwether' case in a mass tort against Monsanto involving tens of thousands of plaintiffs. Blending interviews, trial footage, news coverage and vérité, the film follows the progression of this groundbreaking trial, while also telescoping out to understand both ubiquity of use and its global repercussions.

As the process begins, we get to know Lee and his family - his mother DeLois and his wife Araceli - who have witnessed his deteriorating health since his diagnosis. We spend time with the lawyers leading the litigation who risk years of commitment and staggering amounts of money with no guarantee of compensation. We meet other plaintiffs whose lives have been upended by their Non-Hodgkin's lymphoma diagnoses. As the trial unfolds, we are confronted by significant evidence of Monsanto's corporate malfeasance. The Monsanto Papers - a collection of internal Monsanto documents obtained during discovery and controversially released to the public by the plaintiffs' lawyers - reveal that Monsanto had been examining glyphosate's potential to cause cancer for decades. What plays out is an extensive history of the company's influence over and manipulation of the very agencies meant to regulate it, a phenomenon known as 'agency capture.' There is evidence of carefully orchestrated attacks on independent science and scientists, of ghostwriting papers and falsifying studies, and the lengths to which the company will go to protect their FTO (Freedom to Operate).

In addition to the specifics of the trial, we step back to consider the systemic effects of the world's most used herbicide. Hundreds of millions of pounds of glyphosate are applied for agricultural purposes each year, and its residue has been detected in a wide variety of food products. We spend time with farmers who have relied on Roundup to maintain the narrow profit margins of industrial food production. Given IARC's ruling on the dangers of the herbicide, will they stop spraying? Can they afford to? We also consider the chemical's lesser known non-agricultural uses: parks, golf courses, highways, railway lines, hydro corridors, cemeteries, and vast swaths of forest. We join scientists to consider the systemic effects of such pervasive application on our ecosystems in general and biodiversity in particular. We meet Traditional Ecological Knowledge Elder Ray Owl, from the Sagamok Anishnawbek First Nation, who is fighting to stop the aerial spraying of glyphosate on the numerous tree plantations within his territory.

As we toggle back and forth between the detail and scale of this ubiquitous product's impact, it becomes clear that the Johnson verdict will have global repercussions. Our anchor is always

Lee: his philosophy, his struggle, and his fight for justice in the face of debilitating and terminal illness. Will Monsanto (Bayer) be forced to change Roundup's label? To compensate the myriad victims? To address the wide-ranging ecological effects? We consider the limitations of mass torts and using the courts as a tool for social good, and the likelihood of money damages affecting the practice of a company worth billions. By telling Johnson's story, *Into the Weeds* ultimately considers whether this kind of David vs. Goliath fight is capable of instigating lasting and substantial change.

DIRECTOR'S NOTES

As in all our films, *Into the Weeds* moves back and forth between detail and scale to pursue comprehensive understanding and try to move viewers viscerally, emotionally and intellectually. Lee's story, his trial, his lawyers' strategizing and other plaintiffs' observations telescope out in concentric circles to the bigger picture of global pesticide use and its systemic repercussions.

As a cinematographer, John Price is the closest person I know in temperament, aesthetic and ethic to my longtime partner and collaborator, Nicholas de Pencier. He is also an old friend, so working with both of them on tag team was pretty great. We also tag teamed in the edit room. I first tackled, with David Wharnsby, a linear pass at the trial and the plaintiff portraits which echo and counterpoint Lee's experience. Then Roland Schlimme interrogated and honed this assembly with me for approximately a year. Both brought a unique sensibility, that came together seamlessly. The sheer magnitude of scientific data articulated in the trial was initially overwhelming; we had to find innovative ways to elucidate and simplify without being reductive—Justin Stephenson's graphics and animation helped enormously with that. We had to be extremely scrupulous about backing up every claim made, much like the trial itself, and this meticulous, painstaking work was done by our lead researcher Kyra Church. We were also helped greatly by story consultant Carey Gillam—her two books, her expertise on the subject, her contacts and insight. Film is collaborative, and this one in particular required the talent, time and commitment of a number of people.

The film is not polemic, but rather the historical record of a seminal David vs. Goliath battle. The privilege of gaining Lee's and Araceli's trust to tell their story still resonates deeply, as does the trust of the other plaintiffs, a mere handful among tens of thousands injured. Rest in peace Mario Cannon, DeLois Harvey and Mike Miller.

The phenomenon of agency capture, the limitations of mass torts as a tool for justice, the terrible paradoxes of industrial agriculture, the spectre of global insect collapse and other systemic repercussions of pesticide use: we learned a lot over the past three years, and that process of discovery is still perhaps my favourite part of filmmaking.

Jennifer Baichwal

CREATIVE TEAM

PRODUCER / DIRECTOR / WRITER - JENNIFER BAICHWAL

Jennifer Baichwal has been directing and producing documentaries for 25 years. Among other films, installations and lens-based projects, she has made nine features which have played all over the world and won multiple awards nationally and internationally. *Let It Come Down: The Life of Paul Bowles* won an International Emmy in 1999. *The Holier It Gets*, a documentary filmed in Canada and India, won Best Cultural and Best Independent Canadian Documentary at Hot Docs, 2000, and won Geminis for best writing, directing, and editing in a documentary series. *The True Meaning of Pictures*, a meditation on the work of Shelby Lee Adams, won a Gemini for Best Arts Documentary in 2003, and continues to be used widely as a pedagogical tool in photography and film studies throughout North America. *Manufactured Landscapes* won, among others, TIFF's Best Canadian Film and Al Gore's Reel Current Award. It played theatrically in over 15 territories worldwide, after a prolonged and successful run in Canada, and was named as one of 150 Essential Works In Canadian Cinema History by TIFF in 2016. *Act of God*, about the metaphysical effects of being struck by lightning, opened the Hot Docs Film Festival in May 2009. *Payback*, an adaptation of Margaret Atwood's Massey Lectures produced by Ravida Din and the National Film Board, premiered in competition at the Sundance Film Festival in January 2012 and was released in Canada and the U.S. that spring. The feature documentary *Watermark*, made with Edward Burtynsky and Nicholas de Pencier, premiered at TIFF 2013, was released in Canada by Mongrel Media and won the Toronto Film Critics Association prize for Best Canadian Film in January 2014. It has since been released in eleven countries. Baichwal and de Pencier co-directed *Long Time Running*, a feature documentary on the Tragically Hip's 2016 summer tour. The documentary, produced by Banger Films, premiered as a gala at TIFF 2017, was subsequently released by Elevation Pictures, and was broadcast by Bell and Netflix. *The Anthropocene Project*, Baichwal's most recent collaboration with de Pencier and Edward Burtynsky, includes a major touring exhibition which debuted simultaneously at the Art Gallery of Ontario and the National Gallery of Canada; an art book published by Steidl; an educational program in partnership with the Royal Canadian Geographical Society and a feature documentary film, *Anthropocene: The Human Epoch*, that premiered at TIFF 2018, played Sundance and Berlin, then won the Toronto Film Critics Association Prize for Best Canadian Film and a Canadian Screen Award in 2019.

Baichwal sits on the board of Swim Drink Fish Canada, and is a member of the Ryerson University School of Image Arts Advisory Council. She has been a Director of the Board of the Toronto International Film Festival since 2016. *Into the Weeds* is Baichwal's tenth feature documentary.

PRODUCER / DIRECTOR OF PHOTOGRAPHY - NICHOLAS de PENCIER csc

Nicholas de Pencier is a documentary Director, Producer, and Director of Photography. Select credits include *Let It Come Down: The Life of Paul Bowles* (International Emmy), *The Holier It Gets* (Best Canadian Doc, Hot Docs), *The True Meaning of Pictures* (Gemini, Best Arts),

Hockey Nomad (Gemini, Best Sports), *Manufactured Landscapes*, (TIFF, Best Canadian Feature; Genie, Best Doc), and *Act of God* (Hot Docs, Opening Night Gala). He was also the Producer and Director of Photography of *Watermark*, (Special Presentation, TIFF & Berlin; Toronto Film Critics Award, Best Canadian Film; CSA, Best Documentary), and *Black Code* (TIFF) which he also directed. De Pencier's video art installations include *Watermark Cubed* at Nuit Blanche 2014; *Music Inspired by the Group of Seven*, 2015, with Rheostatics in Walker Court at the Art Gallery of Ontario; and *Ice Forms*, a video installation room as part of the Lawren Harris Exhibition at the AGO in the summer of 2016. With Baichwal, he is the Co-Director (and also DOP) of *Long Time Running*, a feature documentary on the Tragically Hip's iconic *Man Machine Poem* tour from the summer of 2016, which premiered at TIFF 2017 and was subsequently released by Elevation Pictures and broadcast by Bell and Netflix. *The Anthropocene Project*, de Pencier's most recent collaboration with Baichwal and Edward Burtynsky, includes a major touring exhibition which debuted simultaneously at the Art Gallery of Ontario and the National Gallery of Canada, a feature documentary film which premiered at TIFF 2018 before playing Sundance and Berlinale, an art book published by Steidl, and an educational program in partnership with the Royal Canadian Geographical Society. De Pencier is currently in production on a four-part documentary chronicling the 1972 Canada/Russia hockey summit, which will premiere on CBC in Fall 2022 to mark the 50th anniversary of the iconic series.

DIRECTOR OF PHOTOGRAPHY - JOHN PRICE

John Price is a Canadian cinematographer based in Toronto. His work has screened at TIFF, IFFR, IDFA, SXSW, the Berlinale, CPH:DOX, NYFF, Museo Nacional Centro de Arte Reina Sofía, The Venice Biennale and many others. He has created visuals for dance, opera, and symphonic performances as well as a wide range of documentary, dramatic and fine art installation projects. After graduating from Concordia University with an MFA in 1996 he joined the IATSE Cinematographers Guild and worked on projects all over the world. Primarily interested in humanist documentary films with a social conscience, his personal work is a celluloid diary of everyday life.

EDITOR - ROLAND SCHLIMME

Roland Schlimme has been collaborating in the edit room with leading independent filmmakers for more than twenty years. He has edited more than twenty feature length films and numerous shorts with a focus on non-fiction, unscripted, and unconventional projects. In addition to editing, his credits include music composition, sound design, and visual effects, as well as some early production work. Editing primarily in his studio in Toronto, his film work has taken him to Montréal, Victoria, New York, Buenos Aires, and Switzerland. Roland is active as a mentor to emerging filmmakers and editors, consulting on a process that is both intimate and industrial. Since 2010, he has presented guest lectures and taught creative editing courses to undergraduates at Ryerson University. In 2014 he was invited to lecture and supervise a workshop for the prestigious DOC Institute Masters' Series in Toronto. His formal sensibility and intuitive touch can be recognized in the works of Peter Mettler (*Gambling, Gods, and LSD*, *Petropolis*, *The End of Time*), Jennifer Baichwal (*Manufactured Landscapes*, *Long Time*

Running, Anthropocene: The Human Epoch), Phillip Barker, Cliff Caines, Alison Murray, Liz Marshall, and others.

EDITOR - DAVID WHARNSBY

David is the editor of numerous award-winning films. He received a DGC award for his work on Mary Harron's mini series, *Alias Grace*. He has also won DGC awards for his editing on the television show *Saving Hope*, and on Sarah Polley's feature, *Away from Her*, a film that was nominated for two Oscars. He won a Genie for his work on Guy Maddin's *The Saddest Music in the World*, and Geminis for his editing on Jennifer Baichwal's documentary *The Holier it Gets* and Barbara Willis Sweete's *Don Giovanni Unmasked*.

Over the course of his career, David has collaborated with many of Canada's most important filmmakers. His numerous credits include TIFF Top Ten Films *I, Claudia* by Chris Abraham; *The Uncles* by Jim Allodi; Paul Gross's *Hyena Road* and *Passchendaele*; Ken Finkleman's Gemini- and Emmy-winning *The Newsroom* and *Foreign Objects*; Sarah Polley's Genie-winning short *I Shout Love*; Atom Egoyan's Gemini-winning *Sarabande*; Emmy-nominated *The Four Seasons* and *Don Giovanni Unmasked* by Barbara Willis Sweete; Jennifer Baichwal's Gemini-winning *The True Meaning of Pictures*, and Emmy-winning *Let It Come Down: The Life of Paul Bowles*.

COMPOSER - MARTIN TIELLI

Martin Tielli is an accomplished Canadian singer-songwriter and a member of the band Rheostatics. Tielli has also released material as a solo artist and with the side project Nick Buzz. He has appeared as a guest musician on albums by Barenaked Ladies, Kevin Hearn, The Waltons, Jane Siberry, Ashley MacIsaac, Meryn Cadell and Mia Sheard. He is also a painter, and created most of the album covers for Rheostatics. Tielli previously collaborated with Jennifer Baichwal on *Payback: Debt and the Shadow Side of Wealth* (2012) and *Watermark* (2013).

COMPOSER - DANIEL LANOIS

Daniel Lanois is a Canadian record producer, guitarist, vocalist, and songwriter. He has produced albums for artists including Bob Dylan, Neil Young, Peter Gabriel, Robbie Robertson, Emmylou Harris, Willie Nelson, and Brandon Flowers. Lanois collaborated with Brian Eno to produce several albums for U2, including *The Joshua Tree* (1987) and *Achtung Baby* (1991), and is credited as a major influence in early ambient music. Three albums produced or co-produced by Lanois have won the Grammy Award for Album of the Year. Four other albums received Grammy nominations. In his solo work, Lanois is constantly working to push beyond his creative and innovative boundaries. Whether exploring his French Canadian identity and folk heritage in bilingual songs or taking mainstream rock themes into outer space, every record has a questing spirit to it. Lanois is currently working in the studio on his next musical body of work, a collective project called Heavy Sun.

ABOUT THE PARTICIPANTS

DEWAYNE “LEE” JOHNSON

Dewayne “Lee” Johnson is a musician and former school groundskeeper who developed terminal Non-Hodgkin’s lymphoma in 2014 following a workplace accident in which he was drenched in Ranger Pro, a commercial-grade variant of Monsanto’s weed killer Roundup. Johnson sued Monsanto, and in 2018, a California jury awarded him \$298 million in damages after they unanimously determined that Monsanto failed to provide warning of the carcinogenic dangers of its product. This figure was later cut back to \$20.5 million, which Johnson received in late 2020. Johnson lives with his wife, Araceli, and two children in Napa, California.

BRENT WISNER

R. Brent Wisner is an attorney and senior shareholder in the San Francisco Bay Area office of Baum Hedlund Aristei & Goldman. Wisner has dedicated his practice to vindicating his clients’ rights and holding wrongdoers accountable. He concentrates his practice on pharmaceutical class action litigation, toxic-tort injuries, and consumer fraud litigation. Wisner is one of Baum Hedlund’s lead trial attorneys and manages a highly-trained team of attorneys on all aspects of the cases in his department. After obtaining two landmark verdicts against Monsanto, he has been showered with major awards and recognition. He is the youngest attorney ever to obtain a multi-billion-dollar verdict.

MICHAEL J. MILLER

Michael J. Miller, a pilot and father to six children, was a highly qualified and experienced personal injury lawyer with an impeccable record of accomplishment. For 30 years, Miller worked in the private practice of representing those injured and aggrieved in cases of personal injury. Miller served as co-lead counsel of the Roundup litigation in San Francisco, in Re Roundup multidistrict litigation No. 2741 in front of the Honorable Vince Chhabria. He was also appointed co-lead of the California state court Roundup litigation. Miller served as lead counsel in the first Roundup trial in America resulting in a \$289 million verdict from the jury, and lead counsel in the third Roundup trial in America, resulting in \$1.37 billion and \$1.18 billion awarded to the two plaintiffs, respectively. Mr. Miller tragically passed away on November 24, 2021.

ROBIN GREENWALD

Robin Greenwald is a renowned environmental and consumer class action attorney. A former Assistant United States Attorney and Assistant Chief of the U.S. Department of Justice’s Environmental Crimes Section, Greenwald today heads the Weitz & Luxenberg Environmental Toxic Torts and Consumer Protection Litigation group. She joined Weitz & Luxenberg in 2005 and has since led her team to several notable triumphs, including a trial and a class action settlement as a member of the Plaintiffs Steering Committee in the 2010 British Petroleum oil spill in the Gulf of Mexico. Her efforts helped to secure full compensation for

hundreds of thousands of innocent victims of the spill. Greenwald served as co-lead counsel in the Roundup multidistrict litigation in San Francisco, as well as litigating thousands of cases in Missouri state courts.

AIMEE WAGSTAFF

In 2010, Aimee Wagstaff became a founding partner of Andrus Wagstaff. Since that time, she has dedicated her professional life to fighting against pharmaceutical and medical device companies who harm her clients by putting profits before safety. The Honorable Vince Chhabria appointed Wagstaff to serve as national Co-Lead counsel of multidistrict litigation 2741- In Re: Roundup Products Liability Litigation, situated in the United States District Court for the Northern District of California. Wagstaff served as lead trial counsel in the federal Roundup trial, *Hardeman v. Monsanto*. After a hard-fought, month-long trial, the jury unanimously returned a verdict for Mr. Hardeman in the amount of \$80,267,634.10. The Colorado Trial Lawyers Association (“CTLA”) recognized the impact of the *Hardeman* verdict by voting it the “Case of the Year.”

MICHAEL BAUM

Michael L. Baum is the senior managing shareholder of Baum Hedlund Aristei & Goldman. He has successfully led the firm through thousands of wrongful death and personal injury cases stemming from major pharmaceutical drug catastrophes, harmful consumer products, and commercial transportation mass disasters.

Baum served on the trial team for three of the first Monsanto Roundup lawsuits to go before juries. In the first trial, Michael and a team of lawyers represented Dewayne “Lee” Johnson, a California school groundskeeper, who alleged exposure to Monsanto herbicides caused him to develop terminal Non-Hodgkin’s lymphoma. A jury in San Francisco unanimously awarded Mr. Johnson \$289M in compensatory and punitive damages, finding that Monsanto acted with malice, oppression, or fraud. In the wake of this groundbreaking verdict, The National Trial Lawyers Top 100 recognized Baum and his team as the 2019 Trial Team of the Year in the Mass Torts category.

GARRY GADD

Garry Gadd, a farmer from Moose Jaw, Saskatchewan, is the lead plaintiff in a class action lawsuit against Bayer and Monsanto, alleging exposure to their weedkiller Roundup contributed to his cancer. Gadd was diagnosed with Non-Hodgkin’s lymphoma in 2014 after doctors discovered tumors in his liver and throat. In court documents, Gadd stated that he began using Roundup on his farm in 1997, and received training on how to use the product ‘safely’. He does not have a family history of cancer. Today, Gadd continues to use Roundup on his fields, explaining that his margins are so low, he can’t afford not to.

RICHARD ELENKO

Richard Elenko, a farmer who splits his time between his home in Alberta and his farm in Saskatchewan, remembers hearing Monsanto representatives tout Roundup as “safe enough to drink” at farm shows. He has been using the product on his farm for decades. Elenko was diagnosed with chronic lymphocytic lymphoma during a routine checkup. He continues to use Roundup on his farm for the same reasons as Garry Gadd: economically, broadscale farming isn’t tenable without it.

RAYMOND OWL

Raymond Owl is an elder of the Sagamok Anishnawbek First Nation, and one of the founders of the Traditional Ecological Knowledge (TEK) Elders Group of the North Shore of Lake Huron. As a young boy, Owl grew up fishing and hunting muskrat with his father on their traditional territory of Sagamok First Nation. From early childhood, Owl remembers witnessing the destructive impacts of human industry on the natural environment, and he has spent his life fighting to defend the ecosystems that sustain him and his community.

Along with Willie Pine from Mississauga First Nation, Owl founded the TEK Elders group to call attention to destructive environmental practices taking place in the region and advocate for change. Since its inception, the group has grown to include members from all 19 First Nations in the Robinson-Huron Treaty. The TEK Elders group has lobbied Health Canada, as well as the Ministry of Natural Resources in Ontario, to put a stop to the aerial spraying of herbicides and pesticides.

CHRISTOPHER J. PORTIER

Prof. Dr. Christopher J. Portier is a semi-retired expert in the design, analysis, and interpretation of environmental health data with a focus on carcinogenicity. He has authored more than 200 peer-reviewed publications and book chapters. During his 36+ years of research, Dr. Portier has focused on using systems-based approaches to understand the impact of the environment on human health. Prior to his retirement, Dr. Portier served as the Director of the US National Center for Environmental Health at the Centers for Disease Control and Prevention and Director of the Agency for Toxic Substances and Disease Registry. Prior to this, Dr. Portier was at the U.S. National Institute of Environmental Health Sciences (NIEHS) where he conducted research on environmental health and served as the Director of the Environmental Toxicology Program, the Associate Director of the National Toxicology Program, and the Senior Scientific Advisor to the Director of NIEHS.

ARTHUR CRIVELLA

Arthur Crivella is the President and CEO of Crivella Technologies Limited, an industry leader in the development and application of advanced software engineering, systems engineering and artificial intelligence methodologies. Crivella holds numerous foundation patents in the use of the internet for business purposes and in the field of artificial intelligence. Crivella’s engineering designs underpin the corporation’s process networks, which integrate the combined collaborative efforts of corporations, financial companies, risk management companies and professional firms. Crivella Technologies supports leading corporations in the management of

risk; supports law firms and their clients in the substantiation of legal claims and liabilities; aids lawyers in numerous class action mass tort litigation efforts; and provides critical tools to professionals in law enforcement, academic research, clinical medical care, and other industries.

GLOSSARY

Non-Hodgkin's lymphoma: a type of cancer that begins in white blood cells called lymphocytes, which are part of the body's immune system. Non-Hodgkin's lymphoma is a general category of lymphoma with many subtypes, including diffuse large B-cell lymphoma. The 5-year relative survival rate for people with NHL is 72%, though this varies greatly depending on type and stage of cancer.

Glyphosate: A non-selective herbicide. When applied to plants, glyphosate prevents the production of certain proteins needed for growth. Glyphosate has many uses including, but not limited to, agriculture, forestry, lawn and garden maintenance and industrial site management. While several products contain glyphosate, it is perhaps most notably the active ingredient in Monsanto Company's weed killer Roundup.

The Monsanto Papers: A collection of internal Monsanto documents obtained during the discovery phase of the Roundup litigation and released to the public by plaintiffs' lawyers.

Agency/Regulatory Capture: A phenomenon by which regulatory bodies prioritize the private interest of the regulated industry at the expense of public interest. Often a result of the 'revolving door phenomenon' - when public office holders move back and forth from the public to the private sector - agency capture enables an industry to shape the regulations governing its operations.

International Agency for Research on Cancer (IARC): The International Agency for Research on Cancer (IARC) is the specialized cancer agency of the World Health Organization. The objective of IARC is to promote international collaboration in cancer research. In 2015, IARC classified glyphosate as "probably carcinogenic to humans" (Group 2A).

Mass Torts: Civil lawsuits that involve many plaintiffs against one or a few defendants, usually corporate manufacturers.

Roundup Ready: Roundup Ready crops are grown from genetically modified seeds such that they can be sprayed directly with Roundup herbicide without adverse effect. Globally, glyphosate use has risen almost 15-fold since Roundup Ready crops were introduced in 1996.

Desiccation: The practice of spraying a chemical, such as glyphosate, directly on crops before harvest in order to dry them out evenly.

KEY RESEARCH

Roundup Litigation in the United States

- ❖ The Roundup litigation began in 2016. At its peak in 2020, the litigation included approximately 125,000 filed and unfiled claims in the United States.
- ❖ In 2018, the German corporation Bayer acquired Monsanto Company for \$63 billion.
- ❖ To date, three juries have found in favour of the plaintiffs. These three juries delivered verdicts of approximately \$289 million (Johnson v. Monsanto Company), \$80 million (Hardeman v. Monsanto Company) and \$2 billion (Pilliod, et al. v. Monsanto Company, et al.), respectively.
- ❖ Monsanto (now owned by Bayer) appealed all three verdicts. The jury verdicts were ultimately reduced to approximately \$20.5 million (Johnson v. Monsanto Company), \$25 million (Hardeman v. Monsanto Company) and \$87 million (Pilliod, et al. v. Monsanto Company, et al.).
- ❖ Both Johnson and Monsanto/Bayer petitioned the California Supreme Court for a review of the Johnson verdict, while Bayer also petitioned the Court for a review of the Pilliod verdict. Both requests were denied.
- ❖ Monsanto/Bayer petitioned the Supreme Court of the United States to review the Hardeman case. In December 2021, the Supreme Court sought the Biden administration's view on whether the justices should hear the case. U.S. Solicitor General Elizabeth Prelogar is due to file a brief expressing the administration's views in coming months.
- ❖ In June 2020, Bayer announced an approximately \$10.9 billion settlement plan to address the current and future potential Roundup litigation. In July 2021, the company announced it would set aside an additional \$4.5 billion to dedicate to the closure of the litigation. While the settlement of current claims is ongoing, at the time of writing a judge had yet to approve a proposed plan for how to address future claims.
- ❖ In July 2021, Bayer announced its intention to replace all glyphosate-based products in the United States residential market with non-glyphosate alternatives beginning in 2023. Glyphosate-based products will remain available to farmers. Bayer's CEO, Werner Baumann, maintains that "this is exclusively geared at managing litigation risk and not because of any safety concerns."
- ❖ Trials for cases that had not been settled resumed in the summer of 2021.

- ❖ Since trials have resumed, two juries in California have found in favour of Bayer.
- ❖ As of late 2021, over 25,000 claims remained that had not been settled.

Glyphosate & Roundup: A Global Perspective

- ❖ Between 1974 and 2014, an estimated 8.6 billion kilograms of glyphosate were applied worldwide.
- ❖ Full or partial bans on glyphosate have been introduced in Luxembourg, Saudi Arabia, Kuwait, The United Arab Emirates, Qatar, Bahrain, Oman, Malawi, Togo, Malta, Belgium, Costa Rica, the Netherlands, Portugal and Denmark. Additionally, France, Germany, Mexico and Fiji have all announced an intention to ban glyphosate.
- ❖ Class action lawsuits against Monsanto/Bayer, similar to the litigation taking place in the United States, have been announced in both Canada and Australia.
- ❖ Glyphosate is due for review and re-approval in the EU in 2022.

For more information see:

<https://usrtk.org/monsanto-roundup-trial-tracker-index/>

<https://www.baumhedlundlaw.com/toxic-tort-law/monsanto-roundup-lawsuit/>

INTO THE WEEDS - Credits
THEATRICAL VERSION

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INTO THE WEEDS
Dewayne "Lee" Johnson vs. Monsanto Company

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Mario Cannon

Michael J. Miller

WITH THE GENEROUS PARTICIPATION OF

Dewayne "Lee" Johnson

DeLois Harvey

Robin Greenwald

Aimee Wagstaff

Mike Papantonio

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Main Title Design	ROLAND SCHLIMME
Title Design	JUSTIN STEPHENSON
Music Consultants	LAURIE BROWN ROLAND SCHLIMME

Music Clearances

JODY COLERO
AMANDA CLEMENS



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Assistant Colourist
Technical Operations Manager
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Supervisor
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Dialogue Editor
Re-recording Mixer
Re-recording Assistant

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David Siegel
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Kent Thomson
Kristen Thomson
Dr. Thach-Giao Truong

MUSIC

"Monster"

Performed by ANTLÉE (Dewayne Johnson) and DARYLLICK (Daryl Walters)
Composed by Dewayne Johnson
Lyrics by Dewayne Johnson and Daryl Walters
Recorded at Little Big Room Studios, Burbank, CA
Mixed and Mastered by En Tse
Used with permission of the artists

"V"

Written and Performed by Olivier Alary
Courtesy of Olivier Alary

"Bad Dreams"

Written and Performed by Joni Mitchell
Used by Permission of Reservoir Media Music (ASCAP) on behalf of Crazy Crow Music (ASCAP)
Courtesy of Joni Mitchell, By Arrangement of Craft Recordings, a Division of Concord

"Time is a Measurement of Desire"

Written and Performed by Charles Spearin and Josefin Runsteen
Courtesy of Arts and Crafts Music Publishing

"Elsewhere"

Written by Mark Byrd and Andrew Thompson
Performed by Hammock
Courtesy of MAZARINE (ASCAP), MAZARINE BLUE (BMI) and Hammock Music
All rights on behalf of MAZARINE administered by WC Music Corp.
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"Aerial Beat"

Written and Performed by Roland Schlimme

Courtesy of Roland Schlimme

“Hamar”

Written and Performed by Kira Kira
Courtesy of Bright Notion Music Ltd./Decca Publishing Ltd. and Kira Kira

“Says”

Written and Performed by Nils Frahm
Courtesy of Manners McDade Music Publishing Limited, Erased Tapes Records

“II”

Written and Performed by Olivier Alary
Courtesy of Olivier Alary

“Sympathy Beat”

Written and Performed by Roland Schlimme
Courtesy of Roland Schlimme

“Hoppla”

Written and Performed by Charles Spearin and Josefin Runsteen
Courtesy of Arts & Crafts Music Inc.

“Invitation to the Voyage”

Written and Performed by Julia Kent
Published by Kobalt Music Group Ltd.
(p) 2015 The Leaf Label Ltd.

“Space Walk”

Written by Percy Nils Adler and Blair Yarranton
Performed by Adler Yarranton
Courtesy of Adler Yarranton

“Monsanto Years”

Written by Neil Young
Performed by Neil Young + Promise Of The Real
Published by Storytone Publishing, Hipgnosis Songs Fund Limited
Courtesy of Reprise Records/Warner Records
By arrangement with Warner Music Group Film & TV Licensing

“Dote”

Written by Jonathan Edmund Mueller, Christopher Michael Rosenau,
James Frank Schoenecker, Daniel Thomas Spack, Justin DeYarmond Edison Vernon,
and Thomas John Wincek Jr
Performed by Volcano Choir
Courtesy of Jagjaguwar Records

“Sleeping Cells”

Written and Performed by Kira Kira
Courtesy of Bright Notion Music Ltd./Decca Publishing Ltd. and Kira Kira

“Viva La Castel Campo”

Written and Performed by Charles Spearin and Josefin Runsteen
Courtesy of Arts & Crafts Music Inc.

“107 Reasons Why”

Written by Ohad Benchetrit, David Mitchell, James Payment, Justin Small, Charles Spearin
Performed by Do Make Say Think
Courtesy of Arts & Crafts Music Inc.
d/b/a GalleryAC Music and Constellation

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Dewayne Johnson

Institut National de l'Audiovisuel

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