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By John Reitman • October 7

California jury sides with Bayer in Roundup cancer case



Bayer won its first court decision amid a seemingly endless trail of allegations that its non-selective herbicide Roundup is to blame for causing cancer in thousands of litigants.

In a decision that left both sides claiming victory, a Los Angeles jury ruled against plaintiff Destiny Clark, who claimed that Roundup was to blame for the Burkitt's lymphoma that killed her son, Ezra, attorneys said Oct. 5. According to court documents, Ezra Clark was 4 years old when he was diagnosed in 2016

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with Burkitt's lymphoma, a rare form of non-Hodgkin's lymphoma.

Destiny Clark said her son often accompanied her when she applied Roundup to the family residence. She sued Bayer for failing to adequately warn her of the cancer risks of using glyphosate, the active ingredient in Roundup.

Roundup has been blamed for causing non-Hodgkins lymphoma in thousands of people since Bayer bought Roundup's maker, Monsanto, in 2018 for \$63 million.

"While we have great sympathy for Ezra Clark and his family, the jury carefully considered the science applicable to this case and determined that Roundup was not the cause of his illness," Bayer said in a statement.

An attorney for Clark said they will consider an appeal.

"We're disappointed for the boy and his family," Fletcher Trammel, an attorney for the defense said in published reports. "We have multiple Roundup cases set across the country over the next year and look forward to trying them."

In 2020, Bayer settled more than 100,000 of those cases for \$11 billion, and set aside another \$4.5 billion for potential future settlements, that currently count in excess of 30,000 additional claims. So far, four trials have been decided by

jury. The Clark case is the first to be decided in Bayer's favor. According to Bayer, about 90 percent of all lawsuits originated in the consumer market.

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