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By John Reitman • 11 hours ago

Bayer CEO is next one called to testify in Roundup case



The well-chronicled story of Bayer, Roundup and hundreds of thousands of litigants claiming the weedkiller caused their cancer is entering new territory that should be a wake-up call not only to other companies in the agri-chemical sector, but in other industries as well.

As the case against Bayer wears on - with more than 100,000 already decided and half that amount still awaiting litigation - the U.S. legal

system is shifting its focus on the company's CEO.

On Aug. 22, a state judge in Arkansas ordered the deposition of Bayer AG CEO Werner Baumann, who resides in Leverkusen, Germany, and he is willing to send court officials across the world to do it.

According to documents, circuit judge Robert Gibson said "that as the head of Bayer, no one knows better about what the company is doing than Baumann and it would be shocking if he didn't have any unique or specialized knowledge."

It doesn't matter that the company's CEO is an economist by trade, not a chemist. It doesn't matter that he was CEO for only four months when Bayer acquired Monsanto (and all the headaches that were to follow) for \$66 billion. It didn't matter that Hugh Grant, the former CEO of Monsanto, who for 15 years led the company that invented Roundup, already testified three years ago. It doesn't matter that there are many people who know much more about Roundup - and its active ingredient glyphosate - than the company CEO.

After all, this is the same case in which the defense has not been

permitted in court to present some evidence on Bayer's behalf.

"Numerous company officials with relevant knowledge of scientific and regulatory issues already have testified in the nationwide Roundup litigation," the Bayer spokesperson told Law360. "Mr. Baumann is not an expert in science, government regulation or the U.S. legal system and does not possess unique knowledge relevant to this case."

Former Monsanto CEO Hugh Grant, who for 15 years led the company that invented Roundup, already has testified in court as have many other researchers and scientists, all of whom know more than Baumann, but since when have facts or truth mattered in anything lately?

To date, Bayer has spent more than \$11 billion settling more than 100,000 claims that glyphosate caused their non-Hodgkins lymphoma. Another 30,000-plus cases are pending, including an instant suit by an Arkansas man whose conditions warrants an expeditious approach.

In the Arkansas case, the plaintiff says he had worked in agricultural and maintenance landscaping for more than two decades in various

positions and used Roundup regularly around his own yard.

The rub in the Roundup saga has always been conflicting information from the U.S. Environmental Protection Agency and the World Health Organization.

The latter has said glyphosate is likely a carcinogen. The EPA has consisted disputed those findings.

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