


Johnson v. Monsanto

 Goldstein, Daniel A. (Vol. 01) - 02/27/2018 [No Timestamp]

1 CLIP (RUNNING 02:01:54.939)

 QUESTIONS BY MR. MILLER: ...

DG-0227-0000708

271 SEGMENTS (RUNNING 02:01:54.939)



1. PAGE 7:08 TO 8:02 (RUNNING 00:00:28.065)

08 QUESTIONS BY MR. MILLER:
09 Q. Good morning.
10 A. Good morning.
11 Q. And please state your full
12 name.
13 A. Daniel A. Goldstein.
14 Q. And you're a medical doctor?
15 A. I am.
16 Q. I will refer to you then as
17 Dr. Goldstein.
18 A. Thank you.
19 Q. Okay. And you work for the
20 Monsanto Company?
21 A. I do.
22 Q. And how long have you worked
23 for the Monsanto Company?
24 A. It will be 20 years in May.
25 Q. Okay. Part of your job
00008:01 responsibility at Monsanto is to deal with
02 complaints and consumer safety; is that fair?

2. PAGE 8:05 TO 9:11 (RUNNING 00:00:57.425)

05 THE WITNESS: I would narrow
06 that somewhat. I -- being a
07 physician, I'm more focused on
08 concerns and complaints related to
09 human health.
10 QUESTIONS BY MR. MILLER:
11 Q. Excuse me, I have the hiccups,
12 and I'll try to get rid of them as we go
13 along.
14 You're also a toxicologist?
15 A. Yes, an MD toxicologist or a
16 clinical toxicologist, that is correct.
17 Q. All right. And so you review
18 complaints of human health that would come to
19 Monsanto from people that perceive rightfully
20 or wrongfully that a product of Monsanto has
21 caused them an ill effect; is that a fair
22 statement?
23 A. I would review some of them. I
24 may not see all of them.
25 Q. I understand.
00009:01 And how long have you generally
02 speaking been performing that job function at
03 Monsanto?
04 A. The entire time that I've been
05 with the company.
06 Q. Okay. And it's a full-time
07 position at Monsanto?
08 A. It is.
09 Q. So you have not been in the
10 clinical practice of treating patients, if
11 ever, and how long?

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3. PAGE 9:16 TO 10:21 (RUNNING 00:01:07.024)

16 I was in clinical practice in
17 Colorado for roughly 12 years, you
18 know, actually doing critical care
19 medicine as well as environmental and
20 industrial medicine. And at Monsanto,
21 I certainly continue to advise on
22 management and treatment in regards to
23 employees and occupational medicine
24 issues.
25

00010:01 QUESTIONS BY MR. MILLER:

02 Q. You understand that I am and my
03 co-counsel are here today, we represent
04 Dewayne Lee Johnson.

05 Do you understand that?

06 A. Yes, I do.

07 Q. And you, of course, have been
08 deposed before?

09 A. Yes, I have.

10 Q. Approximately how many times
11 have you been deposed as an employee of
12 Monsanto?

13 A. As an employee, five or six
14 times prior to this deposition.

15 Q. I understand.

16 And you understand or have
17 reviewed documents where you had some
18 involvement, and we can talk about how
19 limited or how broad, in responding to Lee
20 Johnson's communications with Monsanto about
21 his health?

4. PAGE 10:24 TO 10:25 (RUNNING 00:00:02.015)

24 THE WITNESS: Yes, I have seen
25 documents.

5. PAGE 11:17 TO 11:19 (RUNNING 00:00:03.318)

17 Q. Have you ever seen any pictures
18 of Lee Johnson before?

19 A. No.

6. PAGE 11:20 TO 11:23 (RUNNING 00:00:09.623)

20 Q. Do you understand that we have
21 medical testimony in this case that Lee
22 Johnson will be dead within the next six
23 months from a form of non-Hodgkin's lymphoma?

7. PAGE 12:02 TO 12:03 (RUNNING 00:00:02.149)

02 THE WITNESS: I have not seen
03 that information.


8. PAGE 12:05 TO 12:07 (RUNNING 00:00:02.498)

05 Q. Have you been advised of that
06 information?

07 A. No.

9. PAGE 12:11 TO 12:13 (RUNNING 00:00:18.062)

11 Q. I'll mark as Exhibit 2, and I

 0318 - 0318

12 do have a copy for counsel. Please identify



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13 this document, sir.

10. PAGE 12:14 TO 12:22 (RUNNING 00:00:28.666)

14 A. This is a printout of my
15 LinkedIn profile. I'm not entirely certain
16 that it is complete, but that, at least, is
17 the source of the document.

18 Q. It says in pertinent part in
19 Exhibit 2 that "I" -- this is talking about
20 you, right? "I am responsible for evaluating
21 product safety for consumer and farm use."
22 Did I read that correctly?

11. PAGE 13:07 TO 13:18 (RUNNING 00:00:25.018)

07 Q. Did I read that correctly?

08 A. The document does say that,
09 yes.

10 Q. And that's true, isn't it?

11 A. Yes. I'm not the only
12 individual responsible for that function, but

 **-KE0318 - Clear Attached Exhibit 0318**



13 I have responsibility in that area.

14 Q. Okay. It was in this
15 responsibility that Lee Johnson reached out
16 to Monsanto and was directed to you to see if
17 you could get some answers to his problems;
18 isn't that fair?

12. PAGE 13:25 TO 14:01 (RUNNING 00:00:05.658)

25 A. I have seen documents relating
00014:01 to his communications with Monsanto, yes.

13. PAGE 14:15 TO 14:19 (RUNNING 00:00:13.195)

15 Q. Okay. So you would say then
16 that there are situations where companies can
17 manufacture products, sell them to the public
18 and not test them to see if they cause
19 cancer, that's okay then?

14. PAGE 15:02 TO 15:04 (RUNNING 00:00:03.199)

02 THE WITNESS: You've changed
03 the nature of your question in terms
04 of --

15. PAGE 15:19 TO 15:23 (RUNNING 00:00:10.834)

19 Q. Now let's start again.
20 Is it your testimony, sir, that
21 it's okay then to make a product and have it
22 out on the market and not test to see if it
23 causes cancer; is that okay?

16. PAGE 16:02 TO 16:05 (RUNNING 00:00:07.489)

02 THE WITNESS: It depends upon
03 the nature of the product and it
04 depends upon the intended use of that
05 product.

17. PAGE 16:07 TO 16:18 (RUNNING 00:00:39.165)


07 Q. A chemical that is going to be
08 spread across crops and lawns and schools and
09 other areas, is it okay to make such a

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10 product without testing it to see if it
11 causes cancer, Dr. Goldstein?
12 A. I can't answer that question in
13 regard to general chemicals. There are many
14 different chemicals for many uses. If you're
15 talking about herbicides or other pesticides,
16 we are legally required to conduct a safety
17 assessment, and that safety assessment
18 includes assessment regarding risk of cancer.

18. PAGE 17:22 TO 18:06 (RUNNING 00:00:36.483)

22 Q. Let me hand you, Doctor, what
23 we're going to mark as Exhibit 3 to your

 0824 -

24 deposition produced by Monsanto or pulled off
25 your website.
00018:01 All right. Here's Exhibit 3.
02 Two documents. One entitled "Monsanto's
03 Commitment to Safety," and the other
04 "Monsanto Code of Business Conduct," which
05 begins at 04770656, and I also have a copy
06 for counsel.

19. PAGE 18:23 TO 18:25 (RUNNING 00:00:09.848)

23 Q. You've seen the first document
24 in Exhibit 3, sir?
25 A. Yes, I do.

20. PAGE 19:01 TO 19:08 (RUNNING 00:00:19.633)

00019:01 Q. It says, "Monsanto's Commitment
02 to Safety."
03 Do you see that?
04 A. Yes, I do.
05 Q. Okay. It says, "The safety of
06 our products, people, and communities has
07 been, and always will be, a top priority."
08 Is that true?

21. PAGE 19:21 TO 19:23 (RUNNING 00:00:04.521)

21 A. During my tenure at the
22 company, that certainly has been our
23 practice.

22. PAGE 19:24 TO 20:09 (RUNNING 00:00:35.462)

24 Q. All right. We're going to look
25 at some documents and -- or talk about that
00020:01 here, but before we do, I want to look at one
02 other document here. It says on Exhibit 3,
03 "A critical step ensuring the safety of our
04 products is transparency."
05 Is that true?
06 A. Yes, I think it's important

 -KE0824 - Clear Attached Exhibit 0824

07 that we share information about our products
08 within limits related to certain types of
09 data.

23. PAGE 20:10 TO 20:14 (RUNNING 00:00:13.173)

10 Q. When Lee Johnson had cancer and
11 reached out to Monsanto, did you share any of



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12 the knowledge you had about the association
13 between glyphosate and cancer with Lee
14 Johnson?

24. PAGE 20:18 TO 20:22 (RUNNING 00:00:08.003)

18 THE WITNESS: I don't recall.
19 QUESTIONS BY MR. MILLER:
20 Q. If you had, would you have put
21 some sort of written statement in the file in
22 that regard?

25. PAGE 21:01 TO 21:14 (RUNNING 00:00:27.991)


00021:01 THE WITNESS: I may have. I
02 didn't always put written statements
03 in.
04 QUESTIONS BY MR. MILLER:
05 Q. So is there a possibility then,
06 Dr. Goldstein, that you said -- well, let's
07 back up.
08 Do you remember talking to Lee?
09 A. I don't recall.
10 Q. Okay. Have you ever told
11 anyone that called or reached out to Monsanto
12 that there was an association reported in the
13 scientific literature between glyphosate and
14 any form of non-Hodgkin's lymphoma?

26. PAGE 21:17 TO 21:20 (RUNNING 00:00:03.269)


17 THE WITNESS: Yes, I have.
18 QUESTIONS BY MR. MILLER:
19 Q. And when did you start doing
20 that?

27. PAGE 21:23 TO 23:25 (RUNNING 00:02:25.316)

23 THE WITNESS: I began to do
24 that after the IARC decision, which
25 would have been in, I guess, early
00022:01 2015, early 2014 --
02 QUESTIONS BY MR. MILLER:
03 Q. March 2015, I don't mean to
04 interrupt, but --
05 A. Yeah. Yeah.
06 So after the IARC decision,
07 that is the first ever report of such an
08 allegation that was determined by a -- an
09 agency. I won't call it a regulatory agency.
10 It isn't a regulatory agency. But that
11 report certainly prompted some concerns and a
12 number of people called and we discussed that
13 report.
14 Q. Let's go to -- we're going to

 0331 -

15 mark as 3A, all right, off the web page, and
16 3B is Monsanto's Code of Business Conduct.
17 I want to ask you a question or
18 two about this document which was produced to
19 us by Monsanto.

 0331-002 -

20 If you'll look with me, please,
21 on the first page, "A message from our



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22 chairman, Hugh Grant."
23 And you know who Hugh Grant is,
24 right?
25 A. I do.
00023:01 Q. Chairman, chief executive
02 officer of the company?
03 A. Yes.
04 Q. Okay. And it says, "Our
05 business decisions have a direct impact on
06 our customers."
07 That's true, isn't it?
08 A. I'm sorry, I don't understand
09 the scope of that question.
10 Q. Well, Mr. Grant, the chief
11 executive officer of Monsanto, says in part,
12 quote, "Our business decisions have a direct
13 impact on our customers."
14 And I'm just asking you, sir,
15 if you agree that's true.
16 A. Well, I have no doubt that our
17 business decisions do have some impacts on
18 our customers. I don't know specifically
19 what he intended to include in that
20 statement.
21 Q. Well, he's telling you in this
22 statement, "That means we always need to do
23 what is right."
24 Is that the way you understood
25 your job was supposed to be?

28. PAGE 24:08 TO 24:12 (RUNNING 00:00:08.275)

08 Q. Does that statement, "that
09 means we always need to do what is right," is
10 that a statement that guided your work there
11 at Monsanto?
12 A. Yes.

29. PAGE 24:16 TO 24:22 (RUNNING 00:00:23.762)

16 Q. So if someone called in and
17 said, "I'm spraying Roundup and I have a skin
18 rash," you and I agree at least after IARC
19 the right thing to do would be to tell them
20 there has been an association by some
21 scientists between our product and forms of
22 non-Hodgkin's lymphoma?

30. PAGE 24:25 TO 25:03 (RUNNING 00:00:06.029)

25 THE WITNESS: I can't answer
00025:01 that as a generalization. It depends
02 on the specific circumstances and
03 specific individual.

31. PAGE 25:05 TO 25:08 (RUNNING 00:00:09.394)

05 Q. So some individuals who call
06 asking that question would be told there is
07 an association between non-Hodgkin's lymphoma
08 and the use of glyphosate and some would not?

32. PAGE 25:11 TO 26:09 (RUNNING 00:00:45.864)


11 THE WITNESS: In my custom and
12 practice if they're calling about a
13 concern regarding cancer, I would
14 discuss the cancer literature.
15 If they're calling about a skin

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16 rash, I would give them appropriate
17 information, understanding and advice
18 related to their particular concern.
19 QUESTIONS BY MR. MILLER:
20 Q. Well, you're a medical doctor,
21 yes, sir?
22 A. Yes, I am.
23 Q. And a toxicologist?
24 A. Yes.
25 Q. And you know something about
00026:01 non-Hodgkin's lymphoma, right?
02 A. Yes.
03 Q. And part of what you know, I
04 would surmise, Doctor, correct me if I am
05 wrong, is that there is a cutaneous form of
06 non-Hodgkin's lymphoma, correct?
07 A. Yes, there is.
08 Q. And by "cutaneous" we mean
09 starting in the skin?

33. PAGE 26:12 TO 27:01 (RUNNING 00:00:35.115)

12 THE WITNESS: It certainly
13 presents clinically in the skin.
14 QUESTIONS BY MR. MILLER:
15 Q. Yes.
16 A. Where it originates, I -- I'm
17 not sure.
18 Q. The word "cutaneous" means of
19 the skin, of the epidermis, right?

 0331-006 -



20 A. Correct.
21 Q. Yeah.
22 Okay. Let's go to 3B, page
23 Roman Numeral V and it says "Our Pledge," and
24 I assume that means the pledge of Monsanto
25 Corporation; is that a fair assumption?
00027:01 A. I'm sorry, I --

34. PAGE 27:07 TO 27:08 (RUNNING 00:00:01.879)

07 THE WITNESS: Oh, okay. There
08 we go.

35. PAGE 27:10 TO 27:25 (RUNNING 00:00:42.639)

10 Q. When it says, "Our Pledge," we
11 can assume that means the Monsanto pledge,
12 right?
13 A. Yes, that is from corporate.
14 Q. "Transparency, we will ensure
15 that information is available, accessible and
16 understandable," right?
17 A. Yes.
18 Q. Did you make any information
19 available, accessible or understandable to
20 Lee Thompson [sic] when he reached out to you
21 with skin cancer after repeatedly spraying
22 glyphosate?
23 Did you make any information
24 about the association available, accessible
25 and understandable for Lee Johnson?

36. PAGE 28:03 TO 28:08 (RUNNING 00:00:13.911)


03 THE WITNESS: I don't recall

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04 having spoken with him. It would be
05 my custom and practice to try and do
06 so, and I've seen documents that
07 indicate that I had an intention to do
08 so, but I don't recall a conversation.

37. PAGE 28:18 TO 28:21 (RUNNING 00:00:15.258)

18 All right. Exhibit 4 and a
19 copy for counsel. This was produced to us in

 0332 -

20 discovery, Doctor, from Monsanto, and it's an
21 e-mail, isn't it?

38. PAGE 29:01 TO 31:18 (RUNNING 00:02:59.379)

00029:01 THE WITNESS: It is an e-mail,
02 yeah.
03 QUESTIONS BY MR. MILLER:
04 Q. And it's an e-mail that begins
05 at the bottom from a Patricia Biehl, she's a
06 contractor, on Tuesday, November 11th at 2:12
07 in the afternoon.
08 She sends it to who, Doctor?
09 A. To me.
10 Q. Daniel Goldstein, right,
11 concerning the subject of what?
12 A. Was Ranger Pro exposure.
13 Q. Now, you and I both know that
14 Ranger Pro is a Monsanto product, right?
15 A. That is correct.
16 Q. And it also -- like Roundup, it
17 has the active ingredient glyphosate?
18 A. Correct.
19 Q. And like Roundup, it has a
20 surfactant in it, right?
21 A. It does.
22 Q. Okay. So what do you
23 understand Patricia Biehl's job function to
24 be, sir, at this time?
00030:01 A. So Patricia Biehl is a
02 long-term Monsanto individual who works in
03 our -- in our consumer response center as a
04 product support specialist. So they take a
05 wide range of calls regarding our products,
06 some subset of which could sometimes be
07 medical in nature.
08 Q. Okay. So she's a product
09 support specialist, right?
10 A. That is correct.
11 Q. And she's employed by Monsanto,
12 right?
13 A. She's marked as a contractor
14 and so I don't know who her actual legal,
15 nominal employer is. She has worked in the
16 safety center for many, many years, and so
17 for practical purposes from my standpoint,
18 she is functioning as a Monsanto employee.
19 Q. Yes, sir. I understand.
20 So let's see what this is about
21 then. Ranger Pro exposure is the subject
22 matter, right, sir?
23 A. Yes.
24 Q. "Spoke with Dewayne Johnson,"
that's Lee's first name, and it gives



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25 Mr. Johnson's phone number and tells us this
00031:01 is his story, right?
02 A. That is what the document says.
03 Q. Okay. So on November 11, 2014,
04 Lee Johnson told Patricia he "works for a
05 school district in California and about nine
06 months ago he had a hose break on a large
07 tank sprayer."
08 That e-mail was forwarded to
09 you, wasn't it, sir?
10 A. Yes.
11 Q. "This resulted in him becoming
12 soaked to the skin, on his face, neck and
13 head with" --
14 What, sir?
15 A. The document says Ranger Pro.
16 Q. "He said he was wearing a white
17 exposure suit and it even went inside that."
18 Do you see that, sir?

39. PAGE 31:24 TO 32:11 (RUNNING 00:00:30.719)

24 Q. Well, let me read it again.
25 "He" meaning Lee Johnson, "he said he was
00032:01 wearing a white exposure suit and it even
02 went inside that," end quote.
03 Did I read that correctly, sir?
04 A. Yes, you did, that is what the
05 document states.
06 Q. Okay. "A few months after this
07 incident, he noticed a rash on his knee, then
08 on his face and later on the side of his
09 head."
10 Did I read that correctly?
11 A. You did.

40. PAGE 32:12 TO 32:16 (RUNNING 00:00:15.053)

12 Q. "He said he changed his laundry
13 detergent, dryer sheets and used all creams
14 available to him but nothing seemed to help."
15 What's the medical significance
16 of that, sir?

41. PAGE 32:20 TO 33:01 (RUNNING 00:00:21.736)

20 THE WITNESS: I don't know.
21 Not being his treating physician or
22 seeing his medical records, typically
23 when you see that, that is someone who
24 is trying to address the possibility
25 of a skin allergic or irritant
00033:01 condition from some type of product.

42. PAGE 33:03 TO 33:04 (RUNNING 00:00:03.219)

03 Q. As a physician, would you have
04 said that patient had anxiety?

43. PAGE 33:08 TO 33:12 (RUNNING 00:00:10.979)

08 THE WITNESS: I can't speculate
09 as to -- as to anxiety. I've never
10 spoken with the patient that I can
11 recall, and I am not his treating
12 physician.

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44. PAGE 33:14 TO 33:17 (RUNNING 00:00:15.663)

14 Q. Have you ever spoken to a
15 patient who his entire body covered and
16 doctors were telling him it was skin cancer
17 who didn't have anxiety?

45. PAGE 33:20 TO 34:07 (RUNNING 00:00:25.405)

20 THE WITNESS: I don't think
21 I've ever spoken to a patient that has
22 made that particular claim or had that
23 particular presentation.
24 QUESTIONS BY MR. MILLER:
25 Q. Okay. Let's look at exactly
00034:01 what the document says.
02 He tells Patricia on
03 November 11, 2015, quote, "His entire body is
04 covered in this now and doctors are saying it
05 is skin cancer."
06 It's a pretty serious call,
07 isn't it?

46. PAGE 34:10 TO 35:04 (RUNNING 00:00:45.279)

10 THE WITNESS: Well, it is first
11 and foremost a call that makes no
12 sense to me from the strictly medical
13 standpoint. That's not an attempt to
14 be critical in any way of
15 Mr. Johnson's [sic]. Patients don't
16 always fully understand their medical
17 condition, but as a physician looking
18 at this, skin cancer does not present
19 that way. And so I am looking at
20 something, which as noted in my
21 response, makes no sense to me from a
22 medical standpoint.
23 QUESTIONS BY MR. MILLER:
24 Q. Now, there are doctors called
25 cancer doctors or oncologists, right?
00035:01 A. Yes.
02 Q. And you're not one of them,
03 right?
04 A. That's correct.

47. PAGE 35:05 TO 35:07 (RUNNING 00:00:06.501)

05 Q. Okay. And as a non-Hodgkin's
06 lymphoma that started in the skin, this makes
07 perfect sense, doesn't it?

48. PAGE 35:11 TO 35:19 (RUNNING 00:00:24.386)

11 THE WITNESS: I have not seen
12 him, but at the -- just at a
13 superficial level, I can say that
14 being covered extensively is
15 consistent with a T cell lymphoma of
16 the skin, but that is not the subject
17 that was raised in this e-mail. In
18 the e-mail it's stated to be a skin
19 cancer.

49. PAGE 35:21 TO 35:23 (RUNNING 00:00:05.641)

21 Q. But this description, you and I
22 agree, is consistent with a T cell lymphoma
23 in the skin, right?

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50. PAGE 36:01 TO 36:12 (RUNNING 00:00:25.405)

00036:01 THE WITNESS: Without seeing
02 the rash and knowing the details of
03 the clinical presentation, I can't
04 purport to make a diagnosis on a
05 patient I have never seen. A T cell
06 lymphoma of the skin can certainly
07 present with widely disseminated rash.
08 QUESTIONS BY MR. MILLER:
09 Q. Well, then I assume you did the
10 right thing and asked Patricia to get you the
11 information you needed in order to help
12 Mr. Johnson out; is that true?

51. PAGE 36:15 TO 37:07 (RUNNING 00:00:31.085)

15 THE WITNESS: I don't recall
16 what happened at that time.
17 QUESTIONS BY MR. MILLER:
18 Q. Well, let's see what happened.
19 I didn't mean to interrupt you.
20 Are you finished?
21 A. No, my custom and practice, as
22 indicated here, would be to try and contact
23 the patient myself rather than to have
24 Patricia Biehl do so because Patricia Biehl
25 is not someone with medical background.
00037:01 Q. Now, have you read Dewayne
02 Johnson's repeated depositions?
03 A. No.
04 Q. This is a man that's been told
05 he's dying from cancer and he's testified
06 under oath that you never called him.
07 Are you aware of that?

52. PAGE 37:10 TO 37:14 (RUNNING 00:00:09.133)

10 THE WITNESS: No, I'm not.
11 QUESTIONS BY MR. MILLER:
12 Q. As Mr. Johnson has stated under
13 oath that you never called him, can you sit
14 here and say, "Oh, no, I did call him"?

53. PAGE 37:17 TO 37:17 (RUNNING 00:00:02.073)

17 THE WITNESS: I do not recall.

54. PAGE 37:19 TO 38:08 (RUNNING 00:00:34.685)

19 Q. Okay. Here's what record we
20 have of Patricia sharing this information
21 with you. This is from you, an e-mail,
22 right, from Daniel Goldstein, right, sir?
23 A. Yes.
24 Q. And this is about six hours
25 after she sent you her e-mail, right?
00038:01 A. Yes.
02 Q. Okay. And it's, again,
03 about -- it's to Patricia and it's about
04 Ranger Pro, right, sir?
05 A. Yes.
06 Q. You told her you would call
07 him, but there's no record of you ever
08 calling him, right?

55. PAGE 38:11 TO 39:09 (RUNNING 00:01:00.296)

11 THE WITNESS: I don't recall

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12 whether I called him or not. That
13 would normally have been my custom and
14 practice, but I have no record or
15 recollection that I did, in fact,
16 speak with him at that time.

17 QUESTIONS BY MR. MILLER:

18 Q. Okay. You say to the e-mail to
19 Patricia, "The story is not making any sense
20 to me at all," right?

21 Is that what you said?

22 A. Well, that is, in fact, what I
23 said. Those are the words in the -- in the
24 e-mail. What I meant by that is what I had
25 referred to previously. It states his entire
00039:01 body is covered with skin cancer, and that is
02 not a presentation that you will see with
03 what I would consider to be a true skin
04 cancer. So it's not making sense to me from
05 that standpoint.

06 Q. So you would need more
07 information to be able to help Mr. Johnson as
08 he struggles to find out why he has this --
09 this cancer all over his body?

56. PAGE 39:12 TO 40:06 (RUNNING 00:00:43.130)

12 THE WITNESS: Well, it's
13 doubtful that I could help him to
14 answer that question. The science is
15 fairly sound that this product would
16 not be expected to cause either a skin
17 cancer or a T cell lymphoma, so I
18 doubt that I can help him in that
19 sense. Nor can I treat him; he's out
20 of state, so I'm not his treating
21 physician.

22 But to answer the question, it
23 would certainly be helpful to have
24 spoken with him, and I don't recall
25 whether I did.

00040:01 QUESTIONS BY MR. MILLER:

 **-KE0332 - Clear Attached Exhibit 0332**



02 Q. Dr. Goldstein, you just said
03 there was no scientific evidence that
04 glyphosate increases the risk of
05 non-Hodgkin's lymphoma.

06 Did I hear you correctly?

57. PAGE 40:10 TO 40:12 (RUNNING 00:00:06.981)

10 THE WITNESS: I said that sound
11 science supports the contention that
12 glyphosate does not cause cancer.

58. PAGE 40:14 TO 40:24 (RUNNING 00:00:24.055)

14 Q. You've known since -- more than
15 ten years before Lee Johnson reached out to
16 you for help that there was credible,
17 scientific evidence in the peer-reviewed
18 journals showing a significant association
19 between the exposure to Roundup and a patient
20 then getting non-Hodgkin's lymphoma.

21 Sir, you've known about it and
22 wrote about that for over ten years before
23 you talked to Lee Johnson; that's true, isn't

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24 it?

59. PAGE 41:03 TO 41:12 (RUNNING 00:00:25.060)

03 THE WITNESS: There are
04 epidemiologic, you know, human
05 publications that span that time
06 frame. The weight of the scientific
07 evidence has been that glyphosate is
08 unlikely to cause cancer, and that
09 conclusion has been reached by
10 regulatory agencies around the world,
11 including our own Environmental
12 Protection Agency.

60. PAGE 41:17 TO 41:23 (RUNNING 00:00:16.729)

17 Q. But, in fact, Doctor, the
18 Environmental Protection Agency has a
19 textbook out that says chronic exposure to
20 herbicides like glyphosate, even specifically
21 mentioning glyphosate, increases one's risk
22 of non-Hodgkin's lymphoma.
23 Are you aware of that?

61. PAGE 42:02 TO 42:03 (RUNNING 00:00:02.067)

02 THE WITNESS: I'm sorry, no,
03 I'm not.

62. PAGE 42:05 TO 42:11 (RUNNING 00:00:13.414)

05 Q. Okay. And you're aware that a
06 scientific advisory panel has many members
07 that have concluded that IARC was quite
08 correct when they said glyphosate is a
09 probable human carcinogen for a very specific
10 cancer called non-Hodgkin's lymphoma, are you
11 aware of that?

63. PAGE 42:15 TO 43:02 (RUNNING 00:00:28.198)

15 THE WITNESS: I have not
16 reviewed the scientific advisory
17 panel.

18 QUESTIONS BY MR. MILLER:

19 Q. Sir, at the time that you wrote
20 this e-mail on November 11, 2014, you already
21 knew that IARC was going to have a meeting in
22 March of 2015 and look at this issue, whether
23 glyphosate -- whether the science showed that
24 glyphosate increased the risk of
25 non-Hodgkin's lymphoma.

00043:01 You knew about that meeting
02 already, didn't you?

64. PAGE 43:06 TO 43:16 (RUNNING 00:00:22.771)

06 THE WITNESS: We were aware
07 that IARC was going to take glyphosate
08 into consideration, yes.

09 QUESTIONS BY MR. MILLER:

10 Q. And you had said to your other
11 colleagues that you expected IARC to either
12 classify glyphosate as a possible human
13 carcinogen or if things are really bad, a
14 probable human carcinogen.

15 Do you remember having that
16 general conversation?

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65. PAGE 43:19 TO 43:19 (RUNNING 00:00:03.389)

19 Q. With your coworkers in e-mails?

66. PAGE 43:22 TO 44:01 (RUNNING 00:00:10.622)

22 THE WITNESS: I stated in a
23 number of places and in conversations
24 that that was my expectation; however,
25 that conclusion is not supported by
00044:01 the science.

67. PAGE 45:06 TO 45:08 (RUNNING 00:00:03.927)

06 Q. Doing that with other
07 individuals isn't much help to Lee Johnson,
08 can we agree on that?

68. PAGE 45:11 TO 45:17 (RUNNING 00:00:17.773)

11 THE WITNESS: I think it
12 depends what you mean by "help."
13 There's nothing I could provide him in
14 the way of information that would
15 modify his condition in any way. If
16 he's seeking information, that
17 information can be provided.

69. PAGE 45:19 TO 46:01 (RUNNING 00:00:24.126)


19 Q. But, Dr. Goldstein, let me ask
20 you if you're aware of this, sir: When he
21 wrote you on November 11, 2014, he was not
22 terminal yet. He continued to spray
23 glyphosate. He got no information from
24 anyone at Monsanto. He later became terminal
25 after continuing to spray the glyphosate.
00046:01 Are you aware of that, sir?

70. PAGE 46:05 TO 46:06 (RUNNING 00:00:02.615)

05 THE WITNESS: I have not seen
06 his medical records.

71. PAGE 47:03 TO 47:04 (RUNNING 00:00:02.164)

03 Have you seen this before, sir?

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04 A. Yes, I have.

72. PAGE 47:09 TO 47:13 (RUNNING 00:00:19.972)

09 Q. Explain to us what this is.
10 A. This is an e-mail. It is from
11 Joy Thompson at the Missouri Regional Poison
12 Control Center to Monsanto. Subject of this
13 is March 2015 FIFRA 6(a)(2) reports.

73. PAGE 47:17 TO 47:25 (RUNNING 00:00:25.852)

17 Q. Now and the attached reports
18 we're going to mark as Exhibit 6. Let me
19 give you a copy of those as well and a copy
20 for counsel.

21 All right. So Exhibit 5 is a
22 list of reports that come, and they come to
23 you, right, sir?

24 A. I am copied on the
25 communication, yes.



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74. PAGE 48:01 TO 48:08 (RUNNING 00:00:18.861)

00048:01 Q. All right. And let's look from
02 the top.
03 Who is Joy Thompson?
04 A. Joy Thompson is a nurse at the
05 Missouri Regional Poison Control Center.
06 Q. And they're under some sort of
07 contract with Monsanto to do these intakes,
08 or what's the process?

75. PAGE 48:11 TO 49:06 (RUNNING 00:00:51.327)

11 THE WITNESS: We have an
12 agreement with them to provide case
13 consultation and medical response on
14 individuals who contact us regarding
15 our products.
16 QUESTIONS BY MR. MILLER:
17 Q. Okay. So here we have
18 Mr. Johnson who -- well, let's first look at
19 the e-mail and then we'll go to the report.
20 Okay. So she sends that to
21 Matthew Graneto, who is an employee at
22 Monsanto, right, sir?
23 A. That is correct.
24 Q. On April 15, 2015, right, sir?
25 A. Yes.
00049:01 Q. And you are copied, Daniel
02 Goldstein, right, sir?
03 A. Yes.
04 Q. And attached to this is a list
05 of people who have called asking questions,
06 right, sir?

76. PAGE 49:10 TO 49:16 (RUNNING 00:00:16.432)

10 Q. And we'll put Exhibit 6 up
11 which you're now looking at. It's the "Human
12 Exposure/Adverse Effect Incidents Involving
13 Monsanto Lawn & Garden Products."
14 Have I read that correctly?
15 A. Yes, but there's an unanswered
16 question pending.

77. PAGE 49:20 TO 50:03 (RUNNING 00:00:23.692)

20 Q. And this is for the period
21 between March 1, 2015 - March 31, 2015,
22 right, sir?
23 A. Yes, it is.
24 Q. Which ironically is the period
25 when the 17 scientists who compose the IARC
00050:01 committee held their vote to determine that
02 glyphosate was a probable human carcinogen.
03 It was during that same time frame, right?

78. PAGE 50:06 TO 50:11 (RUNNING 00:00:15.072)

06 THE WITNESS: Yes, that's
07 correct.
08 QUESTIONS BY MR. MILLER:
09 Q. All right. And so during that

 0334-005 -

10 time period, go with me, please, to page 5395
11 in the numbers on the bottom right. Here's



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79. PAGE 50:12 TO 52:06 (RUNNING 00:01:51.478)

12 another call, Ranger Pro, herbicide from
13 Monsanto.
14 That's the substance that the
15 caller is calling about, right?
16 A. Yes.
17 Q. And it says, "Medical outcome,
18 major effect H-B."
19 And what does that mean?
20 A. So EPA in its reporting
21 requirements asked us to classify outcomes
22 according to a categorization scheme. H-B
23 would indicate a serious or persistent
24 medical effect that is being stated by the
25 individual.
00051:01 Q. All right, sir.
02 So the active ingredient of
03 this Ranger Pro is 41 percent glyphosate,
04 right?
05 A. That is correct, yes.
06 Q. And the caller lives in
07 California, right?
08 A. Yes.
09 Q. Where Lee Johnson lives, right?
10 A. Correct.
11 Q. "Caller states he has been
12 using Ranger Pro as part of his job for two
13 to three years."
14 Did I read that correctly?
15 A. Yes.
16 Q. "He has recently been diagnosed
17 with cutaneous" --
18 And you and I agree that means
19 skin, right?
20 A. Yes.
21 Q. -- "T cell lymphoma. He has
22 concerns about continuing to use Roundup as
23 part of his job and questions if Roundup
24 could be a source of his cancer."
25 Do you see that?
00052:01 A. Yes.
02 Q. What effort did you make to get
03 back to Mr. Johnson and tell him whether
04 there had been an association between
05 glyphosate and non-Hodgkin's lymphoma after
06 receiving this, sir?

80. PAGE 52:09 TO 53:01 (RUNNING 00:00:33.543)

09 THE WITNESS: Well, this was a
10 call to the poison control center, not
11 to Monsanto or to me personally.
12 I don't necessarily follow up
13 on calls to the poison center if the
14 poison center has discussed the
15 product with the individual.
16 QUESTIONS BY MR. MILLER:
17 Q. We've just shown how this
18 document was sent to you, right?
19 A. Yes.
20 Q. Okay. So this was sent to you.
21 Do you read them when they're
22 sent to you?
23 A. I don't necessarily read all of
24 them.
25 Q. Would you read the ones about a

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00053:01 fatal form of cancer?

81. PAGE 53:04 TO 53:17 (RUNNING 00:00:36.432)

04 THE WITNESS: If I would miss
05 it on the monthly reporting, I would
06 see it in the annual reporting. So at
07 some point, yes, I would see anything
08 that was a serious outcome.
09 QUESTIONS BY MR. MILLER:
10 Q. But you don't remember ever
11 getting back to Mr. Johnson and telling him,
12 "Hey, this group of scientists have just
13 concluded there is a probable association
14 between glyphosate and non-Hodgkin's
15 lymphoma."
16 Nothing like that ever
17 happened, right?

82. PAGE 53:20 TO 54:10 (RUNNING 00:00:38.006)

20 THE WITNESS: I don't recall
21 speaking with him.
22 QUESTIONS BY MR. MILLER:
23 Q. I see.
24 As the call progressed, "Caller
25 said that doctors are unsure how to treat his
00054:01 condition, and they are not even sure if it
02 is cancer. Caller states he works with
03 Ranger Pro using a 50-gallon tank and also
04 using a backpack sprayer."
05 Did I read that correctly?
06 A. Yes, you did.
07 Q. So if you would have read that
08 in March of 2015, you would have known that
09 he's still using Ranger Pro, still using it
10 in a backpack sprayer, fair?

83. PAGE 54:14 TO 54:22 (RUNNING 00:00:19.087)

14 THE WITNESS: That is what the
15 document states.
16 QUESTIONS BY MR. MILLER:
17 Q. He goes on to say, "He dilutes
18 10 ounces of Roundup per gallon for the
19 50-gallon tank and 4 ounces of Roundup per
20 gallon when using the backpack sprayer."
21 Nothing out of the ordinary
22 there, right?

84. PAGE 55:02 TO 55:13 (RUNNING 00:00:30.898)

02 THE WITNESS: Nothing out of
03 the ordinary in terms of the use,
04 that's correct.
05 QUESTIONS BY MR. MILLER:
06 Q. "He recalls having been exposed
07 to Roundup twice in the past two to three
08 years, both from the backpack
09 leaking/malfunction. In one case he was
10 wearing personal protective equipment but it
11 soaked through the PPE and his clothing."
12 You're aware that can happen,
13 right?

85. PAGE 55:17 TO 55:18 (RUNNING 00:00:01.844)

17 THE WITNESS: It can happen,
18 yes.

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86. PAGE 55:20 TO 55:23 (RUNNING 00:00:08.529)

20 Q. "The caller's level of fear is
21 rising over his continued use of Ranger Pro."
22 Why didn't somebody call him
23 back?

87. PAGE 56:02 TO 56:05 (RUNNING 00:00:05.765)

02 THE WITNESS: He spoke to
03 individuals at the Missouri Regional
04 Poison Control Center about his
05 concerns.

88. PAGE 56:07 TO 56:10 (RUNNING 00:00:10.906)

07 Q. Did you tell anybody at the
08 Missouri Poison Control Center when people
09 call, tell them to stop using Ranger Pro
10 because it's been associated with cancer?

89. PAGE 56:14 TO 56:20 (RUNNING 00:00:11.092)

14 THE WITNESS: No, and I would
15 have no basis for doing that looking
16 at the science.
17 QUESTIONS BY MR. MILLER:
18 Q. So even if you had talked to
19 Lee Johnson, you would not have told him to
20 stop using Ranger Pro?

90. PAGE 56:24 TO 57:04 (RUNNING 00:00:05.708)

24 THE WITNESS: No, I would not.
25
00057:01 QUESTIONS BY MR. MILLER:
02 Q. You think he could use it
03 tomorrow and that would be good? That would
04 be okay?

91. PAGE 57:11 TO 57:19 (RUNNING 00:00:26.905)

11 THE WITNESS: Sorry. Yes.
12 QUESTIONS BY MR. MILLER:
13 Q. "He states he continues to get
14 unexplained rashes and nodules over his body.
15 Missouri Regional Poison Control discussed
16 the product toxicity. The symptoms are not
17 an expected response from the product."
18 That's just not true, is it,
19 Dr. Goldstein?

92. PAGE 57:24 TO 58:03 (RUNNING 00:00:04.472)

24 THE WITNESS: Yes, it is true.

 -KE0334-005 - Clear Attached Exhibit 0334-005



25
00058:01 QUESTIONS BY MR. MILLER:
02 Q. So IARC got it wrong?
03 A. Yes.

93. PAGE 60:24 TO 61:05 (RUNNING 00:00:13.123)

24 Q. Two members of the
25 Environmental Protection Agency for the
00061:01 United States Environmental Protection Agency
02 were on the IARC panel that concluded
03 glyphosate is a probable form of human

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04 cancer.
05 You know that, don't you, sir?

94. PAGE 61:09 TO 61:21 (RUNNING 00:00:26.567)

09 THE WITNESS: They were not on
10 the panel. They were observers.
11 QUESTIONS BY MR. MILLER:
12 Q. They were observers and not --
13 okay. We'll take a look at a document in a
14 minute.
15 All right. So you don't
16 remember when you read this second call from
17 Lee Johnson, true?
18 A. Correct.
19 Q. And you have no memory of
20 responding to it in any way, true?
21 A. That's correct.

95. PAGE 62:10 TO 62:15 (RUNNING 00:00:25.378)

10 Q. Let's take a look at an e-mail.
11 I'm marking an e-mail sent by you in June

 0335 -

12 of 2004, seven years before you talked to
13 Mr. Johnson or saw the e-mail from
14 Mr. Johnson, I should say. I'll ask you if
15 you recognize this.

96. PAGE 62:22 TO 63:08 (RUNNING 00:00:34.790)

22 Q. All right. This Exhibit 7 is
23 an e-mail sent by you in 2004, June, right,
24 sir?
25 A. Yes, that is correct.
00063:01 Q. And it's about Roundup, right,
02 sir?
03 A. Yes.
04 Q. And you state here in part,
05 quote, "Some people take -- seem to take
06 offense at the idea of helping us manage our
07 punitive damage liability."
08 Right, sir?

97. PAGE 63:15 TO 64:02 (RUNNING 00:00:38.612)

15 Q. We'll read the whole thing.
16 This is what you said in June of 2004, quote,
17 "Some people seem to take offense at the idea
18 of helping us manage our punitive damage
19 liability, often without realizing that,
20 quote, 'doing the right thing,' and quote,
21 'managing liability,' are oftentimes one and
22 the same."
23 Did I read that correctly, sir?
24 A. You did.
25 Q. And so would it be fair to say
00064:01 that managing punitive damages is one of your
02 job titles, right, sir?

98. PAGE 64:06 TO 64:16 (RUNNING 00:00:24.968)

06 THE WITNESS: No, that's not
07 correct. This was part of a



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 -KE0335 - Clear Attached Exhibit 0335



08 discussion between myself and someone
09 at the college of medical toxicology
10 regarding transmission of information
11 and the reasons for transmitting that
12 information. It has nothing to do
13 with my specific job role at all.
14 QUESTIONS BY MR. MILLER:
15 Q. And that was in 2004, right?
16 A. Yes.

99. PAGE 75:17 TO 75:19 (RUNNING 00:00:10.200)

17 Q. You knew, sir, in 2015 that
18 Monsanto has very limited credibility when
19 talking about the safety of glyphosate, true?

100. PAGE 75:22 TO 75:25 (RUNNING 00:00:08.070)


22 THE WITNESS: Like any
23 manufacturer, we have some limitations
24 on our credibility when we are
25 speaking as Monsanto publicly.

101. PAGE 76:04 TO 76:10 (RUNNING 00:00:30.435)

04 Q. Let me go before we get to IARC
05 to the year 2000, which would be 14 years
06 before Lee Johnson reaches out to you and ask
07 you to look at this e-mail that you received
08 in the year 2000. And we'll mark it as
09 Exhibit 11. And there's our attachment there
10 we're going to mark as Exhibit 12.

102. PAGE 76:11 TO 76:21 (RUNNING 00:00:31.970)

11 So these are copies, gentlemen,

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12 of 11 and 12, the e-mail and the attachment.
13 Okay?
14 A. Those are the same, I think.
15 Do you have two documents here?
16 Q. I do, sir.
17 A. Okay.
18 Q. Yes, sir.
19 And this is an e-mail from John
20 Acquavella. You know him, right?
21 A. Yes, I do.

103. PAGE 77:03 TO 77:19 (RUNNING 00:00:39.715)

03 QUESTIONS BY MR. MILLER:
04 Q. Who's John Acquavella?
05 A. John Acquavella is an
06 epidemiologist who at that time would have
07 been employed at Monsanto.
08 Q. And one of his jobs was to
09 review any scientific articles that came out
10 on the issue of glyphosate and its potential
11 associations with any condition, fair?
12 A. Yes.
13 Q. Okay.
14 A. I think that's fair.
15 Q. And so in this May 2000, year
16 2000, e-mail John Acquavella is writing an

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17 e-mail and its subject is non-Hodgkin's
18 lymphoma abstract, isn't it, sir?
19 A. Yes.

104. PAGE 81:24 TO 82:14 (RUNNING 00:00:43.916)

24 This scientist, Dr. McDuffie,
25 together with one, two, three, four, five,
00082:01 six authors at a scientific meeting on
02 August 21 of 2000, the date of the document,
03 looks at non-Hodgkin's lymphoma and certain
04 agriculture exposures and in B states -- and
05 let me read it -- quote, "More than two days
06 per year of exposure to glyphosate resulted
07 in an OR" --
08 And I'm asking you now, sir,
09 what is an OR?
10 A. That would refer to an odds
11 ratio in this context.
12 Q. Yes, sir.
13 -- "of 2.11"; is that right,
14 sir?

105. PAGE 82:22 TO 83:02 (RUNNING 00:00:10.401)

22 A. That is what the document says,
23 odds ratio 2.11.
24 Q. Yes, sir.
25 And with a statistically

 -KE0309 - Clear Attached Exhibit 0309



00083:01 significant confidence interval, right?
02 A. Yes.

106. PAGE 83:10 TO 83:14 (RUNNING 00:00:12.178)

10 Q. This information that existed
11 in the scientific literature 14 years before
12 Lee Thompson [sic] reached out to Monsanto
13 was not shared with Mr. Thompson [sic] by
14 you, true?

107. PAGE 83:23 TO 84:06 (RUNNING 00:00:21.842)

23 A. It would not have been shared
24 with him because it was superseded ultimately
25 by the publication of this data. So there's
00084:01 no reason I would share a preliminary
02 abstract, and there were some serious issues
03 with data quality and reproducibility.
04 Q. So you shared the final article
05 on McDuffie with Lee Thompson [sic], or is
06 the true you never did that either?

108. PAGE 84:09 TO 84:11 (RUNNING 00:00:04.674)

09 THE WITNESS: As I've already
10 stated, I do not recall whether I had
11 a conversation with him.

109. PAGE 84:15 TO 85:25 (RUNNING 00:02:05.427)

15 Q. Well, let me show you a memo
16 prepared by John Acquavella and sent to you
17 on August 24, 2000, the year 2000, several
18 days after our last exhibit, discussing this
19 study and ask you a few questions about it.

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20 Okay?
21 Marked as Exhibit 13. A copy
22 for you, sir, and a copy for counsel.
23 Now, this document is marked
24 "Monsanto Private."
25 See that, sir?
00085:01 A. Yes.
02 Q. And it's from John Acquavella,
03 who you've told us was an epidemiologist
04 employed at the time by Monsanto, right?
05 A. Yes.
06 Q. And it was sent to you, among
07 others, right? You and Donna Farmer both
08 received this it looks like?
09 A. That is correct.
10 Q. Yes, sir.
11 It says in paragraph 1 that,
12 quote, "Non-Hodgkin's lymphoma and the
13 pesticide hypothesis: dose response," end
14 quote, by Helen McDuffie.
15 Do you see that, and others?
16 A. Yes.
17 Q. All right, sir. And what John
18 Acquavella goes on to say about this in the

0311-002 -



19 year 2000, if you please turn with me to the
20 next page, it tells us "additional analysis
21 found a significant relationship for more
22 than two days use/year for glyphosate." And
23 he lists the odds ratio that we discussed in
24 the last document.
25 Do you see that, sir?

110. PAGE 86:07 TO 86:07 (RUNNING 00:00:01.510)

07 A. Yes, I do.

111. PAGE 86:08 TO 86:16 (RUNNING 00:00:24.499)

08 Q. And John Acquavella actually
09 had a chance to speak to the author,
10 Dr. McDuffie, and he reports on that. He
11 tells us, quote, "I had the opportunity to
12 spend some time with the author. She struck
13 me as a reasonable person."
14 So at least John Acquavella
15 thought that this scientist who reported this
16 paper was a reasonable person, right?

112. PAGE 86:19 TO 86:21 (RUNNING 00:00:03.227)

19 THE WITNESS: I have no idea
20 what he meant to imply by using that
21 term.

113. PAGE 86:23 TO 87:02 (RUNNING 00:00:13.847)

23 Q. Well, one thing he expressly
24 states is, "She doesn't seem to have any
25 preconceived notions about glyphosate,"
00087:01 right?
02 A. Yes.

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114. PAGE 87:03 TO 87:09 (RUNNING 00:00:18.250)

03 Q. So by the time the article

 -KE0311-002 - Clear Attached Exhibit 0311-002

04 comes out, the full article, for McDuffie in
05 November of 2001, you and Donna Farmer were
06 very happy that if someone searched that
07 article, they couldn't find glyphosate in the
08 abstract.
09 Did you remember that?




115. PAGE 87:12 TO 87:14 (RUNNING 00:00:05.263)

12 THE WITNESS: I remember that
13 there was some conversation of that
14 nature.

116. PAGE 87:18 TO 87:24 (RUNNING 00:00:17.762)

18 Q. Let's take a look at it,
19 Exhibit 12. I'm sorry, we're going to mark

 0312 -

20 this as Exhibit 14. Excuse me, Exhibit 14.
21 This is a series of e-mails
22 produced by Monsanto. I'm going to ask you a
23 few questions about them. A copy for you and
24 counsel.



117. PAGE 87:25 TO 88:17 (RUNNING 00:00:37.868)

25 So this is on November 29,
00088:01 2001?
02 A. Yes.
03 Q. From Donna Farmer to John
04 Acquavella and you and others, right?
05 A. Yes.
06 Q. And it's about the McDuffie
07 article?
08 A. Correct.
09 Q. And the subject is glyphosate
10 not mentioned in the abstract.
11 It's still in the article, but
12 it's not in the abstract, right?
13 A. Yeah, let me look at the
14 document for a moment, if I could.
15 Q. Yes, sir.
16 A. The formatting is a bit odd, so
17 it's difficult to read. Okay. Sorry.

118. PAGE 88:18 TO 89:01 (RUNNING 00:00:28.067)

18 Q. What Donna Farmer was writing
19 to you and others about at Monsanto was, "I
20 know we don't know yet what it says in the
21 small print, but the fact that glyphosate is
22 no longer mentioned in the abstract is a huge
23 step forward. It removes it from being
24 picked up by abstract searches, exclamation
25 point."
00089:01 Do you see that?

119. PAGE 89:02 TO 89:02 (RUNNING 00:00:01.313)

02 A. Yes, I do.

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120. PAGE 89:03 TO 89:06 (RUNNING 00:00:10.020)

03 Q. So she was happy that people
04 wouldn't be able to find the findings about
05 glyphosate in an abstract search; that's what
06 that says?

121. PAGE 89:09 TO 89:13 (RUNNING 00:00:08.684)

09 THE WITNESS: I can't tell you
10 what was in her mind at the time. I

 -KE0312 - Clear Attached Exhibit 0312

11 neither wrote it nor agreed with it in
12 the correspondence, but that is what
13 the document says.

122. PAGE 89:15 TO 89:21 (RUNNING 00:00:20.222)


15 Q. Well, that was on
16 November 29th. Seven, eight days later you
17 were copied on another e-mail from another
18 Monsanto employee discussing the same issue
19 and happy that it wasn't in the abstract any
20 longer.
21 Do you remember that?

123. PAGE 89:24 TO 89:25 (RUNNING 00:00:02.519)

24 THE WITNESS: I don't recall
25 that without seeing the document.

124. PAGE 90:05 TO 90:08 (RUNNING 00:00:19.776)

05 Here's Exhibit 15, six days

 0313 -

06 later, an e-mail chain from Donna Farmer to
07 you and others and there's, we're going to
08 talk about the bottom here, William Heydens.

125. PAGE 90:09 TO 90:09 (RUNNING 00:00:02.591)

09 Let me know when you're ready.

126. PAGE 90:10 TO 90:17 (RUNNING 00:00:15.882)

10 A. Go ahead.
11 Q. Yes, sir.
12 So this is an e-mail chain and
13 the one I want to ask about is from William
14 Heydens to you and John Acquavella on
15 December 6, 2001, about the same issue, the
16 McDuffie paper.
17 Do you see that, sir?

127. PAGE 90:20 TO 91:11 (RUNNING 00:00:34.571)

20 THE WITNESS: Yes.
21 QUESTIONS BY MR. MILLER:
22 Q. So -- and who is Bill Heydens
23 or William Heydens?
24 A. Bill Heydens is a regulatory
25 toxicologist.

00091:01 Q. Employed by Monsanto?
02 A. Yes, that's correct.
03 Q. Okay. And so he writes, "John,
04 so if I understand the situation correctly,



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05 even though the reference to glyphosate
06 wasn't removed entirely, there was a
07 substantial reduction in emphasis, including,
08 but not limited to, removal from the
09 abstract."

10 Did I read that correctly?

11 A. You did.

128. PAGE 91:12 TO 91:15 (RUNNING 00:00:08.481)

12 Q. Why was it such a big deal to
13 make it so people couldn't search abstracts
14 and find the association between glyphosate
15 and non-Hodgkin's lymphoma?

129. PAGE 91:18 TO 91:18 (RUNNING 00:00:01.650)

18 Q. Why was that important?

130. PAGE 91:21 TO 92:02 (RUNNING 00:00:17.227)

21 THE WITNESS: Honestly, I don't
22 know what the writers were thinking at
23 the time. What matters to me is the
24 data and so I don't know what the
25 individuals who were making those
00092:01 statements at the time were trying to
02 imply.

131. PAGE 92:04 TO 92:07 (RUNNING 00:00:11.590)

 -KE0313 - Clear Attached Exhibit 0313




04 Q. In 2003, more independent,
05 scientifically published data came out
06 showing the association between glyphosate
07 and non-Hodgkin's lymphoma, true?

132. PAGE 92:10 TO 92:14 (RUNNING 00:00:07.768)

10 THE WITNESS: I don't remember
11 the exact dates for the various
12 publications. If you have a document
13 that would refresh my memory, it would
14 be helpful.

133. PAGE 92:18 TO 92:20 (RUNNING 00:00:08.778)

18 Q. I do. Let's look at

 0314 -



19 Exhibit 16, an e-mail from John Acquavella to
20 you in 2003.

134. PAGE 92:21 TO 92:21 (RUNNING 00:00:00.820)

21 A. Yes.

135. PAGE 92:22 TO 93:25 (RUNNING 00:01:00.491)

22 Q. So let's take a look at this
23 e-mail. This is again from the
24 epidemiologist at Monsanto, John Acquavella,
25 right?

00093:01 A. Correct.

02 Q. And it's in September of 2003?

03 A. Yes.

04 Q. And it's sent to you, Donna
05 Farmer and others at Monsanto, right, sir?

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06 A. That's correct.
07 Q. And it's regarding -- an
08 article that is regarding non-Hodgkin's
09 lymphoma and glyphosate and some other
10 chemical, right?
11 A. That is correct.
12 Q. All right, sir.
13 And it states that it's about
14 the De Roos paper, which is -- we'll call
15 that 2003 De Roos.
16 Okay?
17 A. Yes.
18 Q. Okay. And it says in pertinent
19 part that this paper -- this is a paper from
20 investigators at the National Cancer
21 Institute, right?
22 A. Correct.
23 Q. All right. If my math is
24 right, this is 11 years before Lee Johnson
25 reached out for information from Monsanto?

136. PAGE 94:05 TO 94:05 (RUNNING 00:00:00.911)

05 Q. Is that right?

137. PAGE 94:07 TO 94:23 (RUNNING 00:00:41.855)

07 THE WITNESS: Yes, it would be
08 11 years from 2003 to 2014.
09 QUESTIONS BY MR. MILLER:
10 Q. Right.
11 And what John Acquavella, the
12 epidemiologist at Monsanto, tells us here is
13 that, "Strangely glyphosate looks to be one
14 of the pesticides most associated with
15 non-Hodgkin's lymphoma in this analysis."
16 Did I read that correctly?
17 A. You did, and then he goes on to
18 explain the reasons why he finds that to be
19 unusual.
20 Q. And he also states that this is
21 going to "add more fuel to the fire for
22 Hardell."
23 Who is Hardell?

138. PAGE 95:02 TO 95:05 (RUNNING 00:00:07.657)

02 THE WITNESS: Hardell is a
03 scientist who had previously published
04 on the topic of non-Hodgkin's lymphoma
05 and glyphosate.

139. PAGE 95:07 TO 95:09 (RUNNING 00:00:07.927)

07 Q. And Hardell had found an
08 association in his study between glyphosate
09 and non-Hodgkin's lymphoma?

140. PAGE 95:12 TO 95:15 (RUNNING 00:00:06.427)

12 THE WITNESS: It was reported
13 in that study. Without looking at the
14 study, I don't remember the
15 statistical significance.

141. PAGE 95:17 TO 96:03 (RUNNING 00:00:33.502)

17 Q. John Acquavella, Monsanto's
18 epidemiologist, closes with, "It looks like

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19 non-Hodgkin's lymphoma and other
20 lymphopoietic cancers continue to be the main
21 cancer epidemiology issues for both
22 glyphosate," and the other drug, right?
23 A. The other herbicide.
24 Q. Yes, another herbicide.
25 "We're assembling a panel of
00096:01 experts to work on this."
02 Did I read that correct?
03 A. Yes, you did.

142. PAGE 96:04 TO 96:08 (RUNNING 00:00:12.570)

 -KE0314 - Clear Attached Exhibit 0314



04 Q. I'm no scientist, but one way a
05 chemical can cause a cancer is by damaging
06 the DNA of a cell.
07 Is that a fair understanding
08 that us lay people should have?

143. PAGE 96:11 TO 96:18 (RUNNING 00:00:16.893)


11 THE WITNESS: That is one
12 mechanism by which a chemical could
13 contribute to risk of cancer.
14 QUESTIONS BY MR. MILLER:
15 Q. Yes, sir.
16 And by 2007, you knew it was
17 old news that glyphosate damaged the DNA of
18 cells, right, sir?

144. PAGE 96:21 TO 97:02 (RUNNING 00:00:16.292)

21 THE WITNESS: No, that would be
22 counter to all of the regulatory
23 determinations that I'm familiar with.
24 There certainly is an extensive body
25 of genotoxicity data, but my belief is
00097:01 that the weight of the evidence
02 supports nongenotoxic effect.

145. PAGE 98:14 TO 99:20 (RUNNING 00:01:38.513)

14 Q. And I can highlight that. "DNA
15 damage may activate genes associated to the
16 development of cancer, lead researcher Cesar
17 Paz y Migo told sciencedevelopment.net."
18 A. You had stated it's called the
19 Migo study. I don't know if that is the
20 correct first citation for this. I'm not
21 sure which of several studies it actually is
22 making reference to.
23 Q. All right, sir.
24 In any event, you commented on
25 the study in the e-mail chain that is

 0315 -



00099:01 Exhibit 17. I just want to ask you a few
02 questions about that, sir.
03 You state -- actually, Eric
04 Sachs.
05 Now, who is Eric Sachs?
06 A. Eric Sachs in 2007, well, he
07 would have an individual in our scientific
08 outreach group I believe at that point in

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09 time.
10 Q. And what he's telling other
11 employees is -- as he copies you and Donna
12 Farmer, "Darren and Andy," these other
13 employees, he says, quote, "Please engage
14 Donna and Dan as this is an old issue and
15 they have extensive experience and
16 information on this topic."
17 Right?
18 A. Yes.
19 Q. You had been dealing with this

 -KE0315 - Clear Attached Exhibit 0315




20 issue for a while, fair?

146. PAGE 99:23 TO 99:24 (RUNNING 00:00:04.447)

23 THE WITNESS: It had certainly
24 come up before, yes.

147. PAGE 100:03 TO 100:08 (RUNNING 00:00:21.109)

03 Q. I want to talk to you now about
04 the new Hardell paper in 2008 on these issues
05 and ask you about some e-mails that you sent
06 or received on the issue, if I can. I have

 0316 -



07 copies for you. I'll mark them as
08 Exhibit 18.

148. PAGE 100:09 TO 100:11 (RUNNING 00:00:12.338)

09 Sir, here are copies of 18 and
10 19, the article that these e-mails are
11 referencing.

149. PAGE 100:12 TO 101:03 (RUNNING 00:00:45.842)

12 All right, sir. Here we are in
13 2008, and Andy Hedgecock, that's an employee
14 at Monsanto, right?

15 A. Yes.

16 Q. Is e-mailing you and others
17 about the Hardell, the new Hardell paper,
18 right?

19 A. He's actually e-mailing us
20 about a variety of articles in the scientific
21 literature that had come out in the preceding
22 week, among them is this particular paper.

23 Q. Sure.

24 He attached the new Hardell
25 paper. He attached something about The
00101:01 Chicago Tribune raising a global stink,
02 issues, management, Argentina, and other
03 issues, right?

150. PAGE 101:06 TO 101:10 (RUNNING 00:00:06.420)

06 THE WITNESS: That's correct.

07 QUESTIONS BY MR. MILLER:


08 Q. And the importance was high,
09 right?

10 A. That's what he indicated, yes.

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151. PAGE 106:03 TO 106:08 (RUNNING 00:00:14.321)

03 The scientists at IARC when
04 they spent a week-plus together evaluating
05 the science of glyphosate and non-Hodgkin's

 0317 -

06 lymphoma looked at scientific, public papers;
07 you understand that, right?
08 A. Yes.

152. PAGE 106:12 TO 106:13 (RUNNING 00:00:03.004)

12 Q. And this Hardell paper was one
13 of the papers they looked at?

153. PAGE 106:15 TO 106:22 (RUNNING 00:00:11.656)

15 THE WITNESS: Yes, that's
16 correct.
17 QUESTIONS BY MR. MILLER:
18 Q. And when they looked at and
19 reviewed this Hardell paper with the other
20 pieces of scientific evidence, they concluded
21 that glyphosate was a probable form of
22 non-Hodgkin's lymphoma?

154. PAGE 107:01 TO 107:09 (RUNNING 00:00:17.668)

00107:01 THE WITNESS: That was their
02 conclusion based on the limited scope
03 of science that they reviewed.
04 QUESTIONS BY MR. MILLER:
05 Q. And this was in 2008, the
06 Hardell paper, so that would be since Lee
07 Johnson reached out to you in 2014, six years
08 before Lee Johnson reached out to Monsanto,

 -KE0317 - Clear Attached Exhibit 0317

09 right?

155. PAGE 107:12 TO 107:14 (RUNNING 00:00:03.967)

12 THE WITNESS: It's correct.
13 QUESTIONS BY MR. MILLER:
14 Q. Let's move on. You know what

156. PAGE 107:15 TO 108:01 (RUNNING 00:00:40.986)

15 the Shinasi meta-analysis is?
16 A. Yes.
17 Q. Okay. And it would be fair to
18 say that the Shinasi meta-analysis -- well,
19 first of all, explain to the jury what a
20 meta-analysis is.
21 A. So a meta-analysis is a way of
22 taking different epidemiology studies and
23 trying to combine those results together in
24 order to get additional reliability and
25 additional information by using all of the
00108:01 available data together.

157. PAGE 109:21 TO 110:15 (RUNNING 00:00:56.606)

21 My next question: I've handed



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22 you Exhibit 20, which is a series of e-mails
23 between you and others at Monsanto regarding
24 the Shinasi epidemiological paper, and I'd
25 like to ask you a few questions about it.
00110:01 Okay?
02 A. Yes.
03 Q. All right, sir.
04 So this was -- and here you're
05 on the e-mail chain regarding this new paper,
06 right, sir?
07 A. Yes, I'm at least on this first
08 e-mail at the top. I guess that would be the
09 more recent of the e-mails.
10 Q. All right. And what this other
11 employee, John Swarthout, tells you and
12 others there is that in this new paper, it
13 was a meta-analysis of 44 papers exploring
14 the impact of pesticide exposure on
15 non-Hodgkin's lymphoma.

158. PAGE 111:03 TO 111:04 (RUNNING 00:00:03.010)

03 Q. It appears to be from Tracey,
04 right?

159. PAGE 111:14 TO 114:07 (RUNNING 00:02:50.400)

14 Do you have an understanding as
15 to who wrote this?
16 A. Actually, no, I don't. That
17 was going to be my comment. I'm completely
18 perplexed by the chain here.
19 This latter document appears to
20 be a replication of something that came from
21 Chuck Benbrook, or at least appears to be
22 signed by Chuck Benbrook, who is an academic
23 outside of Monsanto. So, honestly, I do not
24 understand the nature and origin of this
25 document.
00112:01 Q. Yes, sir.
02 Do you know who Chuck Benbrook
03 is then, I guess?
04 A. I know who he is. He was a
05 professor at, I believe, Washington State
06 University, if I'm not mistaken. I know he's
07 up in the Northwest. He's no longer with the
08 university.
09 Q. I see.
10 Do you know he's an expert in
11 this case?
12 A. No, I do not. Now I do.
13 Q. Excuse me?
14 A. Now I do.
15 Q. Yes, sir.
16 All right. And whoever wrote
17 this, it says: "Dan, John, have we assessed
18 this paper? Tracey."
19 And somebody cut and paste -- I
20 don't know where the rest of this came from,
21 and you don't either, or do you?
22 A. I don't know the origin of the
23 rest of this. I can only tell you -- this is
24 Tracey Reynolds, who at the time would have
25 been the head of our group, our department.

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00113:01 And obviously something was forwarded to her,
02 and she is asking John and myself whether we
03 have done an assessment on the paper.
04 At that time, you know, we were
05 both covering various issues, so we would be
06 the appropriate people to ask, and that's
07 about all I can tell you about the e-mail.
08 Q. That's fair enough.
09 Whoever wrote this e-mail, it
10 says about the Shinasi paper, "The data on
11 glyphosate is also worth looking over.
12 Table 4, page 4505, summarizes six studies on
13 glyphosate and non-Hodgkin's lymphoma, three
14 or four of which report significant increases
15 in the risk ratio."
16 Did I read that correctly?
17 A. You did, but there was some
18 serious issues with the quality of work in
19 this paper. And this data was reanalyzed by
20 Delzell, and they found a number of
21 significant statistical errors in their work
22 and -- recalculating it in accordance with
23 their own analysis plan, these relationships
24 were no longer anywhere near as statistically
25 significant.
00114:01 Q. You know that the Shinasi paper
02 of 2014, this meta-analysis, was one of the
03 pieces of scientific evidence upon which IARC
04 concluded that glyphosate was a -- probably
05 associated with non-Hodgkin's lymphoma. It
06 was one of the pieces of evidence used;
07 you're aware of that, right?

160. PAGE 114:10 TO 114:21 (RUNNING 00:00:29.221)

10 THE WITNESS: It was cited in

 -KE0319 - Clear Attached Exhibit 0319



11 their document, so they had looked at
12 it, that is correct. I don't think
13 they looked at everything, but they
14 had looked at that.
15 QUESTIONS BY MR. MILLER:
16 Q. And the date of this is
17 significant for me to ask this. This is in
18 June of 2014. This meta-analysis was done
19 before Lee Johnson first reached out to
20 Monsanto, right, sir?
21 A. Yes, that is correct.

161. PAGE 119:24 TO 120:03 (RUNNING 00:00:21.652)

24 Q. And once the IARC decision came
25 in, you recommended that Monsanto fund money
00120:01 to them so that they would write articles
02 saying IARC was wrong about glyphosate. That
03 was part of the IARC strategy, right?

162. PAGE 120:07 TO 120:16 (RUNNING 00:00:22.029)


07 THE WITNESS: No, you've
08 mischaracterized that.
09 We support and had supported
10 ACSH on and off over the years with
11 various grants. What I believe I
12 proposed that we do at the time was to
13 provide them the scientific literature

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14 so that they can create whatever
15 documents and responses they choose to
16 create.

163. PAGE 120:20 TO 120:22 (RUNNING 00:00:06.702)

20 Q. All right. We're going to mark

 0321 -

21 this as Exhibit 24 to your deposition. I'm
22 sorry, Exhibit 22.

164. PAGE 120:23 TO 120:24 (RUNNING 00:00:06.440)

23 It's an e-mail that you send in
24 February 2015 I want to ask you about.

165. PAGE 120:25 TO 121:16 (RUNNING 00:00:34.534)

25 All right, sir. So this is an
00121:01 e-mail from you on February 26, 2015, right,
02 sir?
03 A. Correct.
04 Q. To other employees at Monsanto,
05 right?
06 A. To my leadership in the
07 regulatory and scientific affairs group, yes.
08 Q. Okay. Regarding ACSH, right?
09 A. That is correct.
10 Q. And what does that stand for
11 again?
12 A. The American Council on Science
13 and Health, I believe.
14 Q. And they were working with you
15 to respond to IARC if IARC came out with a
16 decision Monsanto didn't like, right?

166. PAGE 121:21 TO 122:13 (RUNNING 00:00:45.653)

21 THE WITNESS: They were working
22 with us only in the sense that I had
23 raised this issue with Gil Ross, who
24 was at ACSH, and asked him if they
25 would be interested in receiving
00122:01 information regarding IARC so that
02 they can prepare to respond.
03 So we don't decide whether they
04 respond. If they do respond, we do
05 not generate that content, and they're
06 quite adamant about those parameters.
07 So, you know, my point here
08 really was a plea for funding. I
09 wanted to keep our funding to ACSH. I
10 believe that they do a lot of good
11 work. We don't dictate what they
12 respond to, and we don't dictate what
13 they say.

167. PAGE 122:15 TO 123:02 (RUNNING 00:00:28.125)

15 Q. Let's see what you said in
16 February of 2015.
17 What you stated, sir, were,
18 quote, "They are working with us to respond,
19 if needed, to IARC." True?
20 A. That is correct, it is what I
21 had said previously. I had contacted Gil,
22 knowing that the IARC decision was coming,



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23 and offered to provide him a complete set of
24 information around the glyphosate and cancer
25 issues.
00123:01 Q. He wanted you to feed him
02 information, right?


168. PAGE 123:05 TO 123:15 (RUNNING 00:00:28.943)

05 THE WITNESS: I raised the
06 issue with him and offered to provide
07 the scientific information to ACSH.
08 QUESTIONS BY MR. MILLER:
09 Q. And you stated about whether or
10 not the financial reward would be there with
11 ACSH for Monsanto, quote, "While I would love
12 to have more friends and more choices, we
13 don't have a lot of supporters and can't
14 afford to lose the few we have."
15 Did I read that correctly?

169. PAGE 123:24 TO 124:18 (RUNNING 00:00:58.820)

24 A. Well, as I stated earlier, this
25 is an argument for continued funding. I was
00124:01 essentially making the case internally at
02 that point in time in our budget cycle that
03 we needed to support ACSH.
04 Q. You go on to say, quote, "I am
05 well aware of the challenges with ACSH and
06 know Eric has valid concerns, so I can assure
07 you I am not all starry-eyed about ACSH.
08 They have plenty of warts."
09 What are some of their warts?
10 A. Well, if you look back at them
11 historically, some of their positions on
12 tobacco, some of their positions on lead, are
13 not positions that I would agree with. So,
14 you know, this is an organization that I
15 think at least in the recent past has done
16 good quality, science-based work, and I felt
17 it was useful for us to continue to support
18 them.

170. PAGE 124:19 TO 124:20 (RUNNING 00:00:07.090)

 0321-006 -



19 Q. Let's go a couple pages back,
20 if we could, sir, to page 9478.

171. PAGE 124:21 TO 125:13 (RUNNING 00:00:44.082)


21 This is an e-mail from you to
22 Tracey about the glyphosate IARC assessment,
23 right, sir?
24 A. Yes.
25 Q. This was about eight hours
00125:01 before the one we just read, right?
02 A. Yes.
03 Q. Okay. "Per my discussion with
04 John, we had some money set aside for IARC."
05 What's that mean?
06 A. I had a budget line in the
07 proposed budget to continue to support ACSH
08 in relation to IARC.
09 Q. Right.
10 So you thought that you should

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11 go ahead and make that contribution to ACSH,
12 right?
13 A. That is correct.

172. PAGE 126:01 TO 126:14 (RUNNING 00:00:35.925)

00126:01 And let's go to the next page,

 0321-007 -



02 page 9479. This, I believe, is a response
03 from ACSH to your -- to you. I want to back
04 up and make sure I get it accurate.
05 It's an e-mail from Gilbert
06 Ross at ACSH, right?
07 A. Yes.
08 Q. And to you, right, sir?
09 A. That is correct.
10 Q. Regarding glyphosate and the
11 IARC assessment, right?
12 A. Yes.
13 Q. Okay. Let's see what he has to
14 say.

173. PAGE 126:15 TO 126:19 (RUNNING 00:00:11.696)

15 So to put this in context, this
16 is February 2015, after the first time Lee
17 Thompson [sic] reached out to Monsanto and
18 before the second time that Lee Thompson
19 [sic] reached out, right?

174. PAGE 126:22 TO 127:08 (RUNNING 00:00:28.419)

22 THE WITNESS: Sorry, I -- I
23 believe you made a misstatement there.
24 QUESTIONS BY MR. MILLER:
25 Q. Well, I certainly don't mean
00127:01 to. Please correct me.
02 A. You said Lee Thompson. I don't
03 believe that is who you're attempting to
04 refer to. If it is, I don't know who you're
05 talking about.
06 Q. All right. Lee Johnson. I
07 said Lee Thompson, excuse me. I apologize.
08 Let me restate my question. All right, sir?

175. PAGE 128:01 TO 128:18 (RUNNING 00:00:47.572)

00128:01 Here's the question: Now we're
02 looking at this document dated February 2015
03 as Exhibit 22, right?
04 A. Yes.
05 Q. Okay. And I want to make sure
06 I get it right. Mr. Johnson, Lee Johnson,
07 reached out to Monsanto in 2014 before this
08 document one time, right? We talked about
09 it?
10 A. Yes, that is correct.
11 Q. And then reached out through
12 the Missouri Poison Control Center one time
13 shortly after this time frame, right?
14 A. Yes.
15 Q. All right. Thank you, sir.
16 And so let's go back then to
17 what Gilbert Ross from ACSH had to say to you
18 in February of 2015.


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176. PAGE 128:19 TO 129:13 (RUNNING 00:00:57.950)

19 "This situation, however,
20 further illustrates why Monsanto's ongoing
21 support of ACSH is critical, both for
22 Monsanto and ACSH."
23 Did I read that correctly?
24 A. You did, but you've taken it
25 out of the context with the remainder of the
00129:01 paragraph where he talks about providing
02 information that will help them get further
03 up to speed on this topic.
04 So, again, this reflects my
05 providing them with information that they
06 would need to do a scientific assessment on a
07 complex issue.
08 Q. And in fact, you were able to
09 persuade your bosses to provide that ongoing
10 support to ACSH and they, in fact, did write
11 scientific pieces about the IARC decision of
12 glyphosate, right?
13 A. That is correct, yes.

177. PAGE 129:25 TO 130:03 (RUNNING 00:00:17.585)

25 Q. Let's look at the documents.
00130:01 We've marked this as

 0322 -

02 Exhibit 23, a copy for you, sir, and a copy
03 for counsel and an extra copy.

178. PAGE 130:04 TO 130:08 (RUNNING 00:00:06.576)

04 All right. Are you ready, sir?
05 A. Just give me one more moment
06 just to look through the center portion of
07 the document.
08 Q. Yes, sir.

179. PAGE 130:09 TO 131:11 (RUNNING 00:01:12.840)

09 A. Go ahead.
10 Q. All right. Thank you, sir.
11 Okay. Now we're looking now at
12 an e-mail sent from Kelly Clauss, a Monsanto
13 employee, right?
14 A. Yes.
15 Q. In February of 2015, right?
16 A. Yes.
17 Q. Where she copies many Monsanto
18 employees, including you, right?
19 A. The number of people on here, I
20 am included, yes.
21 Q. Including Donna Farmer as well,
22 I see, right?
23 A. Correct.
24 Q. Okay. The importance of this
25 is high, right?
00131:01 A. Yes.
02 Q. And it's regarding IARC
03 outreach, and attached is an IARC plan,
04 right?
05 A. That is correct.
06 Q. And that plan that's attached
07 incorporates feedback from three people,
08 including you, Dan Goldstein, right?



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09 A. Yes.
10 Q. Okay. Let's take a look at the
11 plan. One thing you say in your plan is that

180. PAGE 131:12 TO 131:17 (RUNNING 00:00:18.301)

12 IARC is a World Health Organization. That's
13 what it's part of, right?
14 A. Yes, but let's be clear on who
15 is saying this. I did not write this plan.
16 This is -- so you said "you." I did not
17 write this plan. I commented on it.

181. PAGE 131:19 TO 132:17 (RUNNING 00:00:55.528)

19 You read it over and
20 incorporated feedback into the plan, right?
21 A. Well, someone else incorporated
22 the feedback, but I did at some point comment
23 on this, yes.
24 Q. Well, just to be clear, it says
25 on the front page that it incorporated
00132:01 feedback from Daniel Goldstein, right? And
02 that's true, isn't it?
03 A. Yes.
04 Q. Okay.
05 A. What I'm saying is I didn't do
06 the incorporation. Someone else incorporated
07 the feedback into the plan.
08 Q. Okay. And going to the

 0322-003 -



09 Bates-stamped page 63854. In this plan it
10 shows that IARC, International Agency for
11 Research on Cancer, is a World Health
12 Organization. It's part of it, right?

13 A. It is part of the WHO, yes.

14 Q. It says here, "The
15 International Agency for Research on Cancer,
16 IARC, is a specialized cancer agency of the
17 World Health Organization," right?

182. PAGE 132:25 TO 133:19 (RUNNING 00:00:47.161)

25 Q. Did I read it correctly?
00133:01 A. You read it correctly. IARC,
02 in fact, is one of a number of groups within
03 World Health Organization that do work in the
04 area of cancer.

05 Q. In this draft plan it says, "We
06 should assume and prepare for the outcome of
07 2B rating, possible human carcinogen; a 2A
08 rating, probable human carcinogen, is
09 possible but less likely."

10 Did I read that correctly?

11 A. Yes, you did.

12 Q. And in fact, what you got two
13 weeks later was a probable human carcinogen
14 rating, right?

15 A. That is correct.


16 Q. Yes, sir.

17 A. I don't believe it was
18 supported by the science, which is reflected
19 in these statements.

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183. PAGE 134:08 TO 134:16 (RUNNING 00:00:23.520)

08 Q. Who is Dan Jenkins?

 0322-005 -


09 A. Dan Jenkins is -- was at that
10 time in our Washington office.

11 Q. So Washington, DC, office of
12 Monsanto, and his job was to help neutralize
13 impact of decision?

14 A. I can't speak to what his
15 specific role was in this. I didn't draft
16 the plan, but that is what the document says.



184. PAGE 135:05 TO 135:10 (RUNNING 00:00:20.978)

 0322-007 -

05 Q. So going to page 3858, as part
06 of this plan, attachment A, post-IARC
07 Monsanto is going to, quote, "orchestrate
08 outcry with IARC decision."

09 That was the plan, right?

10 A. I'm sorry, you said --



185. PAGE 135:13 TO 135:22 (RUNNING 00:00:27.401)

13 THE WITNESS: -- 3858?

14 QUESTIONS BY MR. MILLER:

15 Q. Yes, sir.

16 Attachment A, which is -- so we
17 know what -- this is on that same exhibit.
18 Attachment A, Preparedness and Engagement
19 Plan For IARC, Carcinogen Rating of
20 Glyphosate. "Post-IARC, Monsanto is going to
21 orchestrate an outcry with the IARC
22 decision," right?

186. PAGE 136:05 TO 136:11 (RUNNING 00:00:12.195)

05 THE WITNESS: That is what the
06 document says. I can't speak to any
07 of the specifics. This is a planning
08 document from public affairs, and
09 although I commented on it, I don't
10 know specifically what they mean by
11 this.

187. PAGE 136:13 TO 136:17 (RUNNING 00:00:15.207)

13 Q. One of your jobs, right after

 -KE0322-007 - Clear Attached Exhibit 0322-007

14 IARC concluded that glyphosate was a probable
15 human carcinogen, was to draft op-eds and try
16 to get people to sign them and send them to
17 newspapers, right?



188. PAGE 136:20 TO 136:23 (RUNNING 00:00:07.739)

20 THE WITNESS: I was generally
21 involved in the scientific response to
22 IARC, and that was one of the roles
23 that I played.

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189. PAGE 136:25 TO 137:02 (RUNNING 00:00:06.034)

25 Q. And you wrote five potential
00137:01 op-eds, right?
02 A. I did, yes.


190. PAGE 139:02 TO 139:15 (RUNNING 00:00:31.963)

02 Q. There is a division within
03 Monsanto called the Environment Safety and
04 Health Division?
05 A. Yes, there is. It's a
06 department.
07 Q. Yes, sir, a department.
08 ESH I guess it's referred to?
09 A. Correct.
10 Q. And there is an ESH manual?
11 A. There is an online resource
12 that is referred to by that name, yes.
13 Q. And the ESH manual relies on
14 IARC determinations to determine carcinogenic
15 hazards?

191. PAGE 139:18 TO 139:23 (RUNNING 00:00:21.093)

18 THE WITNESS: The global ES&H
19 manual doesn't make any determinations
20 of hazard. It sets out general
21 aspirations and guidelines and
22 principles that apply globally if
23 we're talking about the same document.

192. PAGE 140:14 TO 140:14 (RUNNING 00:00:03.333)

 0323 -



14 Q. Let's look at Exhibit 24.

193. PAGE 140:15 TO 140:16 (RUNNING 00:00:06.582)

15 Exhibit 24, an e-mail chain produced by
16 Monsanto.

194. PAGE 140:17 TO 141:01 (RUNNING 00:00:22.558)

17 All right, sir?
18 A. Go ahead.
19 Q. In this e-mail which was sent
20 to you by John Vicini.
21 Who is he?
22 A. At that time he was my boss.
23 Q. Okay. This is about a week or
24 two after the IARC decision, right, March 25,
25 2015?
00141:01 A. Yes.

195. PAGE 141:05 TO 142:12 (RUNNING 00:01:25.747)

05 Q. And it says, "ESH" --
06 That's the environmental --
07 what's the name of it again?
08 A. Environmental safety and
09 health.
10 Q. -- "medical conference outcome.
11 I spoke with Annemieke" --
12 Am I pronouncing that?
13 A. Annemieke.
14 Q. Annemieke.
15 And who is Annemieke?

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16 A. Annemieke De Wilde is the head
17 of occupational medicine.
18 Q. And where is she located?
19 A. In St. Louis.
20 Q. What's her last name?
21 A. De Wilde, D-e, W-i-l-d-e.
22 Q. And says, "She is in alignment
23 that we should not concede a cancer hazard.
24 Some of the ESH folks seemed to be inclined
25 to go with a message that IARC has identified
00142:01 a hazard, but dose is low in the plants and
02 thus no significant risk was present."
03 John writes on, "I have
04 emphasized the need to hold firm on the,
05 quote, 'no cancer hazard,' end quote,
06 position as per the new press release."
07 First off, did I read that
08 correctly?
09 A. Yes, but I believe that that is
10 correspondence from me, not from John Vicini.
11 There's another header in there. It's not as
12 obvious as the first one.

196. PAGE 142:13 TO 143:20 (RUNNING 00:01:33.368)

13 Q. I'm sorry, you're absolutely
14 right. I appreciate your clarification.
15 All right. So that was from
16 you. And let me ask you about that
17 paragraph.
18 Who are the ESH folks that
19 wanted to go with a message that IARC has
20 identified a hazard?
21 A. I don't remember the specific
22 individuals. At the time, we had
23 considerable conversation about the need to
24 communicate with our employees, and
25 communication to employees would fall within
00143:01 the scope of our environmental safety and
02 health group. So this is something that I
03 would work in collaboration with them on.
04 And there were two different
05 approaches, and remember that many of these
06 approaches are coming from industrial hygiene
07 people who don't understand or know of the
08 underlying data.
09 So there was a debate as to
10 whether we should acknowledge that Roundup
11 may cause cancer but that a dose response
12 assessment, a risk assessment, was not done
13 by IARC and our doses were low, or that we
14 should remain with what I believe is the
15 correct assessment, which is glyphosate is
16 unlikely to cause cancer, that the IARC
17 classification is incorrect, and that
18 independent of exposure levels, which, by the

 -KE0323 - Clear Attached Exhibit 0323



19 way, are very low anyway, that there is no
20 risk of cancer to our employees.

197. PAGE 143:24 TO 144:01 (RUNNING 00:00:12.652)

24 Q. I want to show you what we've

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0324 -



25 marked as Exhibit 25, a series of e-mails
00144:01 concerning carcinogens in April of 2016.

198. PAGE 144:02 TO 144:03 (RUNNING 00:00:02.059)

02 Review it and I have a question
03 or two.

199. PAGE 144:04 TO 146:25 (RUNNING 00:03:40.170)

04 A. Yes, go ahead.

05 Q. Yes, sir.

06 This is an e-mail from you in
07 April of 2016; is that right, sir?

08 A. Yes.

09 Q. All right. Who is Erin
10 Costello?

11 A. She is in regulatory affairs,
12 and she's involved in chemical regulation.

13 Q. And so this is a little over a
14 year after the IARC ruling -- or decision,
15 and she writes you at the bottom of the page.
16 It says, "Dan, St. Louis ESH is rewriting our
17 chemical safety audit procedure which
18 includes reviewing carcinogens."

19 My first question to you is:
20 What is a chemical safety audit procedure?

21 A. So this would be an audit on
22 new incoming chemicals for our facilities.
23 They're not necessarily products; they could
24 chemicals for research, for instance. But
25 when someone submits a request to bring a new
00145:01 chemical on site, whatever they're doing with
02 it, there is a process that is site-specific
03 for evaluating that new chemical.

04 Q. And that would be conducted by
05 the ESH team?

06 A. In general, yes, or they can
07 ask for assistance if they need it from other
08 experts within the company, but generally
09 they're able to conduct that themselves.

10 Q. You write back to her and you
11 state in pertinent part, "I am not sure we
12 can necessarily take this position given OSHA
13 right-to-know regulations that require that
14 we list IARC carcinogenicity on data sheets."

15 Did I read that correctly?

16 A. That is correct. That is
17 written into the regulations in reduction --
18 excuse me, in reference to production of
19 material safety data sheets.

20 So she's asking basically for
21 our audit procedure, should we limit that to
22 other sources of information.

23 And what I'm saying here is,
24 given the current federal law requiring that
25 we list IARC on our material safety data
00146:01 sheet, I don't believe it is advisable to do
02 that. We need to be aware of that. We need
03 to consider it appropriately.

04 And prior to this, we had
05 updated our material safety data sheets to
06 note the IARC classification but also noting
07 that we did not believe that classification

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08 was justified.
09 Q. But I want to finish reading
10 that paragraph, which I think speaks to that
11 point.
12 Quote, "We are altering our
13 current glyphosate SDS" --
14 Safety data sheet, right?
15 A. Yes.
16 Q. -- "if I understand correctly
17 to state that IARC classifies glyphosate as a
18 2A probable human carcinogen, but that we do
19 not concur with this assessment," right?
20 A. Correct, that's exactly what I
21 was saying. In fact, I believe as of this
22 timing that had already occurred. I can't
23 say it happened simultaneously on every SDS.
24 We have a lot of them that need to be
25 updated.

200. PAGE 151:02 TO 154:04 (RUNNING 00:02:23.370)

02 Q. Good afternoon, Dr. Goldstein.

 -KE0324 - Clear Attached Exhibit 0324



03 As you know, my name is Martin
04 Calhoun, and I represent Monsanto Company in
05 this case.
06 Are you employed at Monsanto?
07 A. Yes, I am.
08 Q. And what is your current job
09 title at Monsanto?
10 A. I am a distinguished science
11 fellow and lead for medical sciences and
12 outreach.
13 Q. And what year did you start
14 your employment at Monsanto?
15 A. 1998.
16 Q. And I just want to go briefly
17 over your background.
18 Where and when were you born,
19 Dr. Goldstein?
20 A. I was born outside Chicago. I
21 was born in Aurora, Illinois, 1955.
22 Q. And where did you go to college
23 for your undergraduate education?
24 A. Undergraduate, University of
25 Wisconsin at Madison.
00152:01 Q. And did you graduate from the
02 University of Wisconsin?
03 A. I did. I majored in molecular
04 biology in December of '76.
05 Q. Did you then go to medical
06 school?
07 A. I did.
08 Q. Where did you go to medical
09 school?
10 A. Johns Hopkins Medical School in
11 Baltimore.
12 Q. And did you graduate from
13 medical school?
14 A. I did.
15 Q. And when was that?
16 A. That would have been 1981.
17 Q. And after graduating from
18 medical school, did you do a medical
19 residency?

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20 A. I did. I did a pediatrics
21 residency also at Johns Hopkins.
22 Q. And after that residency, did
23 you pursue studies in toxicology and
24 pharmacology?
25 A. I did. I did a fellowship at
00153:01 University of Toronto at The Hospital for
02 Sick Children in Toronto, Canada.
03 Q. And was that in both toxicology
04 and pharmacology?
05 A. Yes, it was two separate
06 certifications, but I did both.
07 Q. And did you eventually become a
08 board certified medical toxicologist?
09 A. Yes, I did.
10 Q. And can you just tell us in
11 simple terms, Dr. Goldstein, what is a
12 medical toxicologist?
13 A. So a medical toxicologist
14 specializes in the diagnosis and treatment of
15 poisoning in humans. So it's unlike the
16 Ph.D. toxicologists who are oftentimes doing
17 rodent studies and risk assessments, the
18 focus of clinical toxicology or medical
19 toxicology is assessment and treatment of
20 patients.
21 Q. And after you finished your
22 education, did you work as a medical
23 toxicologist treating patients?
24 A. I did. Yes, I was in Denver
25 for about 12 years doing a mixture of
00154:01 critical care toxicology in the intensive
02 care unit, outpatient toxicology at the
03 hospital, as well as an office practice in
04 occupational and environmental medicine.

201. PAGE 154:05 TO 155:15 (RUNNING 00:01:17.785)

05 Q. And have you held various
06 titles and held -- had various
07 responsibilities while working at Monsanto
08 for approximately 20 years?
09 A. I've had various titles over
10 the years and had responsibility in a wide
11 variety of different product areas.
12 Q. Now, Dr. Goldstein, do you
13 consider yourself a scientist?
14 A. I do, yes.
15 Q. And have you worked with other
16 scientists at Monsanto during the 20 years
17 approximately that you've been at Monsanto?
18 A. Yes, quite regularly.
19 Q. And over the years, have other
20 departments and employees at Monsanto looked
21 to you for advice and insights about various
22 toxicology issues?
23 A. Yes.
24 Q. And is that how it works at
25 Monsanto, that there's cooperation and
00155:01 collaboration among employees and
02 departments?
03 A. We're a very open company, so
04 we tend to address issues by networking with
05 individuals that may have knowledge or
06 resources that are useful.
07 Q. And in your experience, what
08 has been the role of science at Monsanto over

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09 the years?
10 A. It's fundamentally a
11 science-driven company. Product development
12 is almost entirely driven by science,
13 especially new science. Product safety
14 assessment, of course, is also very much a
15 scientific process.

202. PAGE 155:16 TO 155:24 (RUNNING 00:00:16.178)

16 Q. And, Dr. Goldstein, in the
17 deposition today we've heard a lot of
18 questions and answers about glyphosate and
19 glyphosate-based herbicides.
20 Have you worked on various
21 glyphosate issues, including human health and
22 safety, throughout the approximately 20 years
23 that you've been at Monsanto?
24 A. Yes, I have.

203. PAGE 155:25 TO 156:10 (RUNNING 00:00:23.097)

25 Q. As part of your
00156:01 responsibilities working at Monsanto, have
02 you become generally familiar with how
03 Monsanto developed and evaluated the safety
04 of glyphosate-based herbicides?
05 A. Yes, I have.
06 Q. And about how long have various
07 kinds of Monsanto glyphosate-based herbicides
08 been available in this country?
09 A. They were first marketed in the
10 US, I believe it was, 1974.

204. PAGE 156:24 TO 158:20 (RUNNING 00:02:01.589)

24 Q. And please tell the jury in
25 simple terms what is typically in most of
00157:01 Monsanto's glyphosate-based herbicides.
02 A. They're pretty simple
03 formulations. They have glyphosate, they
04 have water, and they have a surfactant, a
05 detergent, in them as well. And then there's
06 very small concentrations of some minor
07 formulating ingredients in some products.
08 Some of them have a little bit of food
09 coloring to add a little bit of color to the
10 product and products in them to keep them
11 from foaming up when you add water.
12 Q. And what is a surfactant in
13 simple terms, Dr. Goldstein?
14 A. So a surfactant is really just
15 a soap or detergent. It's a type of molecule
16 that allows fat and water to sort of come
17 together. And humans use them mostly in the
18 household environment for cleaning things,
19 for removing greases and oils or for cleaning
20 your hands.
21 Q. And why would a surfactant be
22 in a glyphosate-based herbicide?
23 A. So surfactants in herbicides
24 mostly are used to help deliver the herbicide
25 into the plant because plants have a waxy
00158:01 cuticle, a coating, and so if you try and
02 apply something, it just sort of beads up on
03 the surface. So we add a surfactant that
04 then allows the herbicide to be effective in
05 a much, much lower concentration.

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06 Q. So in essence, does the
07 surfactant make the herbicide work better?
08 A. It does, yes.
09 Q. And are surfactants used for
10 products other than Monsanto herbicides?
11 A. Yes.
12 Q. Can you give us a couple of
13 examples, please?
14 A. So they're generally present in
15 herbicides from Monsanto or other sources,
16 but they're common in liquid soaps, shampoos,
17 conditioners, laundry detergents, dishwashing
18 detergents. So they're an exposure that
19 human beings regularly have in the context of
20 their daily life.

205. PAGE 160:04 TO 160:15 (RUNNING 00:00:23.319)

04 Q. Is there a federal government
05 agency that evaluates the safety of
06 herbicides and decides whether herbicides can
07 be sold in the United States?
08 A. Yes, that would be the
09 Environmental Protection Agency, or EPA.
10 Q. And during your employment at
11 Monsanto have you become generally familiar
12 with the EPA's regulatory review and
13 evaluation of glyphosate and glyphosate-based
14 herbicides?
15 A. Yes, I have.

206. PAGE 160:22 TO 161:05 (RUNNING 00:00:20.623)

22 Q. And from 1974 to the present
23 day has Monsanto had EPA approval to sell
24 glyphosate-based herbicides in the United
25 States?
00161:01 A. Yes.
02 Q. Over the years has the EPA
03 considered a large volume of data and
04 scientific studies to evaluate the safety of
05 glyphosate and glyphosate-based herbicides?

207. PAGE 161:09 TO 161:09 (RUNNING 00:00:01.443)

09 THE WITNESS: Yes, they have.

208. PAGE 164:17 TO 165:14 (RUNNING 00:00:44.428)

17 Q. Now, you've testified earlier
18 today about the IARC monograph regarding
19 glyphosate.
20 Do you recall some of those
21 questions?
22 A. Yes.
23 Q. Let's discuss that a little
24 bit, including IARC's assessment that
25 glyphosate is a probable carcinogen.
00165:01 Do you recall evaluating that
02 IARC monograph?
03 A. I do.
04 Q. And what is your evaluation of
05 IARC's glyphosate assessment regarding
06 whether it is based on sound science?
07 A. It's a poor quality assessment.
08 It's based on a limited review of the science
09 relative to regulatory agencies, and I don't
10 believe that the science supports their

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11 conclusions.
12 And it's not just me. The same
13 conclusion has been reached by regulatory
14 agencies around the world.

209. PAGE 165:17 TO 166:23 (RUNNING 00:01:10.671)

17 QUESTIONS BY MR. CALHOUN:
18 Q. In your assessment, is IARC's
19 glyphosate assessment sound science,
20 Dr. Goldstein?
21 A. No.
22 Q. Can you give us a few examples
23 of why you think IARC's assessment of
24 glyphosate is flawed?
25 A. They look at only a subset of
00166:01 the available information. They
02 cherry-picked the data that they wanted to
03 focus on rather than looking at the broader
04 weight of the evidence. They completely
05 failed to take into account any consideration
06 of exposure.
07 And so I think overall, just a
08 poorly done and incomplete assessment
09 relative to the regulatory agencies.
10 Q. And when you're referring to
11 exposure, are you referring to real world
12 exposures to glyphosate?
13 A. Yes. They did not take into
14 account real world exposure data.
15 Q. So from a scientific
16 perspective, do you and Monsanto agree with
17 IARC's conclusions about glyphosate?
18 A. No, we do not.
19 Q. Now, did the EPA respond to
20 IARC's glyphosate monograph in some of the
21 EPA's own subsequent assessments with respect
22 to glyphosate?
23 A. Yes, they did.

210. PAGE 173:03 TO 176:07 (RUNNING 00:03:07.496)

03 Q. All right. Let me hand you

 0669 -

04 what I'm marking as Exhibit 27.
05 A copy for you, Counsel.
06 Now, Dr. Goldstein, I've marked
07 what is Exhibit 27 a study called, quote,
08 "Glyphosate Use and Cancer Incidence in the
09 Agricultural Health Study," end quote.
10 Did I read that correctly?
11 A. You did, yes.
12 Q. And have you seen this study
13 before?
14 A. I have.
15 Q. Is this a study that you
16 referred to shortly -- in prior testimony
17 that you referred to it as the Agricultural
18 Health Study?
19 A. Yes, it is.
20 Q. And if you go to the top
21 right-hand corner of Exhibit 27, do you see
22 it states there when this study was first
23 published?
24 A. Yes.



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25 Q. And what does that say?
00174:01 A. It was first published online
02 November 9, 2017, then went to press in 2018.
03 Q. And who is the first author on
04 this study?
05 A. That is the Andreotti
06 publication.
07 Q. All right. So the first author
08 is Gabriella Andreotti; is that right?
09 A. That's correct.
10 Q. And do you see on the first
11 page it says "affiliations of authors"?
12 A. Yes.
13 Q. Are any of the authors that
14 were involved in the study, do any of them
15 work at Monsanto?
16 A. No.
17 Q. Are these authors all at
18 various government agencies?
19 A. They're either at government
20 agencies or they're in academic institutions.
21 There's actually a mixture here. Some of
22 them have left the program and gone to
23 academic institutions but continue to work
24 with the Ag Health Study.
00175:01 Q. To your knowledge, did Monsanto
02 have anything to do with this study that's
03 been marked as Exhibit 17 [sic] in terms of
04 funding or other support for the study?
05 A. No.
06 Q. Now, if you go to the
07 conclusions in the abstract, I'd like to read
08 that into the record and then I'll ask you
09 some questions about it.
10 Conclusions: Quote, "In this
11 large prospective cohort study, no
12 association was apparent between glyphosate
13 and any solid tumors or lymphoid malignancies
14 overall, including NHL and its subtypes," end
15 quote.
16 Did I read that correctly?
17 A. You did.
18 Q. And what does NHL stand for in
19 that sentence?
20 A. Non-Hodgkin's lymphoma.
21 Q. So what does this tell you,
22 Dr. Goldstein, about the issue of whether
23 glyphosate or glyphosate-based herbicides
24 cause non-Hodgkin's lymphoma?
25 A. Well, this is very important
00176:01 information because it's human information.
02 It relates to formulated products and comes
03 from the largest and most comprehensive
04 prospective study that's ever been done in
05 farmers and applicators and their spouses.
06 They found no relationship
07 between glyphosate exposure and non-Hodgkin's
08 lymphoma in this publication.

211. PAGE 179:01 TO 180:11 (RUNNING 00:01:08.299)

00179:01 Q. Now, you were shown various
02 abstracts and studies earlier in this
03 deposition by plaintiff's counsel.
04 Do you recall those series of
05 questions generally, Dr. Goldstein?
06 A. Yes.

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07 Q. Now, were any of those studies
08 sound science regarding the issue of whether
09 glyphosate or glyphosate-based herbicides
10 cause cancer?

11 A. Taken collectively, no, they're
12 not.

13 Q. And how about individually,
14 were any of them sound science in your view
15 and Monsanto's view on the issue of whether
16 glyphosate or glyphosate-based herbicides
17 cause cancer?

18 A. No.

19 Q. Now, has the EPA been aware of
20 the various studies that plaintiff's counsel
21 showed you earlier today in this deposition?

22 A. Yes, definitely.

23 Q. And did any of those studies
24 change the EPA's conclusion that glyphosate
25 is not likely to be carcinogenic to humans?

00180:01 A. Evidently not. I mean, the
02 most recent information we have suggests that
03 they're standing firmly behind that
04 conclusion.

05 Q. And did any of those studies
06 that plaintiff's counsel showed you earlier
07 today change your conclusions and Monsanto's
08 conclusions that glyphosate and
09 glyphosate-based herbicides don't cause
10 cancer?

11 A. No.

212. PAGE 181:03 TO 181:13 (RUNNING 00:00:27.303)

 **-KEGOLDSTEIN 28-007 - Clear Attached Exhibit goldstein 28-007**



03 Q. Dr. Goldstein, good afternoon.

04 A. Good afternoon.

05 Q. How many, approximately,
06 employees are there at Monsanto?

07 A. Total? Right now I believe
08 it's about 22,000 globally.

09 Q. And as for the person that
10 actually transmits information to the EPA, of
11 those 22,000 people, how many people are the
12 ones that are allowed to interface directly
13 with EPA?

213. PAGE 181:16 TO 181:24 (RUNNING 00:00:23.413)

16 THE WITNESS: I can't give you
17 a specific number. Each product or
18 product category will normally have a
19 regulatory lead within Monsanto, and
20 so there are multiple employees that
21 have interactions with the regulatory
22 agencies, not just EPA, but USDA and
23 FDA as well, depending upon the
24 product.

214. PAGE 182:03 TO 182:10 (RUNNING 00:00:23.924)

03 Whether Monsanto has withheld
04 negative scientific information from the EPA
05 as the EPA attempts to do its job with
06 Roundup, you wouldn't know of all the
07 negative possible information that's been
08 done, or can you sit here and say, we've

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09 absolutely, all 22,000 of us, never withheld
10 information from the EPA?

215. PAGE 182:14 TO 182:24 (RUNNING 00:00:30.606)

14 THE WITNESS: I obviously can't
15 speculate as to things that may have
16 occurred. EPA specifies what it needs
17 and wants around a regulatory
18 submission. They can ask for
19 additional information.

20 There are reporting
21 requirements and obligations around
22 both incidence and data, and we make
23 every effort to make certain that we
24 abide by those regulations.

216. PAGE 183:02 TO 183:07 (RUNNING 00:00:15.705)

02 Q. Do you know who Dr. James Parry
03 is? Was? I believe he's died now.

04 A. I have heard the name. I
05 believe he was involved in genotoxicity
06 issues, but I know very -- well, I know
07 nothing else about him.

217. PAGE 183:08 TO 183:10 (RUNNING 00:00:09.603)

08 Q. Okay. So you don't know
09 whether he prepared a report that said it was
10 potential that Roundup caused cancer?

218. PAGE 183:14 TO 183:16 (RUNNING 00:00:04.051)

14 Q. You weren't involved in any way
15 with any reports from Dr. Parry?

16 A. No, I was not.

219. PAGE 183:19 TO 184:04 (RUNNING 00:00:24.301)

19 Q. So if Dr. Parry wrote a report
20 for Monsanto that said whatever, whether or
21 not Dr. Parry's report was sent to the EPA is
22 simply something Dr. Goldstein doesn't know
23 anything about one way or the other?

24 A. I don't know whether it was
25 reported or whether, in fact, it would have
00184:01 been reportable. I just don't know.

02 Q. I understand.
03 Do you know what the TNO study
04 is?

220. PAGE 184:07 TO 184:12 (RUNNING 00:00:09.486)

07 THE WITNESS: I'm not sure I
08 know which study precisely you're
09 referring to. I would have had
10 interactions with TNO as a contract
11 laboratory on various things over the
12 years.

221. PAGE 184:14 TO 184:19 (RUNNING 00:00:14.446)

14 Q. And that's not what I'm
15 referring to. I'm referring to a study of
16 dermal absorption of Roundup that was done in
17 2002 and canceled during the study.

18 Are you familiar at all with
19 that concept?

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222. PAGE 184:23 TO 185:02 (RUNNING 00:00:08.135)

23 THE WITNESS: Yes, I have some
24 familiarity with the issue. I was not
25 directly involved in the issue with
00185:01 TNO, but I have some familiarity with
02 it.

223. PAGE 185:04 TO 185:06 (RUNNING 00:00:09.000)

04 Q. Can you tell this jury whether
05 or not you were involved in any decision to
06 not present the TNO study to the EPA?

224. PAGE 185:09 TO 185:10 (RUNNING 00:00:03.033)

09 THE WITNESS: No, I had no
10 involvement in that conversation.

225. PAGE 185:12 TO 185:19 (RUNNING 00:00:33.855)


12 Q. Let's go to the issue of your
13 disagreement with IARC.
14 I'm going to mark as Exhibit 29
15 the first -- well, before we get to the
16 disagreement with IARC, which we'll get to,
17 you yourself have made decisions to not send
18 negative information that Monsanto has to the
19 EPA, haven't you, Dr. Goldstein?

226. PAGE 185:22 TO 186:04 (RUNNING 00:00:15.821)

22 THE WITNESS: I don't know what
23 you mean by "negative information."
24 But, you know, the EPA has criteria
25 for what it wants to have reported and
00186:01 what it does not want to have
02 reported, and I am involved in some of
03 those decisions related to human
04 health issues.

227. PAGE 187:02 TO 187:07 (RUNNING 00:00:13.882)

02 Q. Let me show you what we're
03 going to mark as Exhibit 29 to your

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04 deposition, and it's a series of e-mails that
05 were produced to us by Monsanto.
06 Sir, here's a copy for you and
07 a copy for counsel.

228. PAGE 187:08 TO 188:12 (RUNNING 00:01:23.084)

08 All right, sir?
09 A. Go ahead.
10 Q. Yes, sir.
11 This is Exhibit 29, and it's a
12 series of e-mails between various employees
13 at Monsanto including you, Daniel Goldstein;
14 right, sir?
15 A. Yes, that's correct.
16 Q. It's regarding annual adverse
17 effects reporting notifications, right?
18 A. Yes.
19 Q. And if we could go, please, to



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20 Bate-stamped page 82367, you see here is a
21 notification to all Monsanto employees that
22 the United States Environmental Protection
23 Agency and other international regulatory
24 agencies require reporting of this
25 information under certain circumstances.

00188:01 That is talking about adverse
02 events, right?

03 A. Yes.

04 Q. All right. "If you become
05 aware of information which suggests a
06 conclusion of adverse events [sic] or
07 substantial risk, you must immediately
08 forward that information to the adverse
09 effects reporting committee as instructed
10 below. The information may originate inside
11 or outside the United States."

12 Have I read that correctly?

229. PAGE 188:16 TO 188:17 (RUNNING 00:00:03.123)

16 THE WITNESS: If there was a
17 misreading, I missed it. So I...

230. PAGE 188:19 TO 189:23 (RUNNING 00:01:24.271)

19 Q. So let's look now at page 83 --

0326-010 -

20 I'm sorry, 82366, and see what the series of
21 e-mails becomes about here.

22 A gentleman named Randall
23 Barker, on November 24, 2014, writes to Jean
24 Edwards who is a Monsanto employee, right?

25 A. Yes.

00189:01 Q. "Jean, I've been diagnosed with
02 hairy cells leukemia." Let me stop right
03 there.

04 That's a form of non-Hodgkin's
05 lymphoma, isn't it?

06 A. Yes, it is.

07 Q. "You may or may not remember
08 that I had irregular blood counts before I
09 retired. I don't know if this diagnosis is
10 related to working around all the chemicals
11 that I may have been exposed to at
12 Muscatine."

13 Did I read that correctly?

14 A. Muscatine but, yes.

15 Q. Excuse me.

16 And Muscatine is a Monsanto
17 plant?

18 A. Yes.

19 Q. So this gentleman writes he's
20 got non-Hodgkin's lymphoma, and he's writing
21 to Monsanto about it.

22 And let's go then to where you

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23 weigh in on this at page 82365.

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231. PAGE 189:24 TO 191:02 (RUNNING 00:01:10.298)

24 If you'll look December 3,
25 2014, at 12:52 in the afternoon, Daniel
00190:01 Goldstein write, quote, "This is not
02 reportable, in my opinion, because he did not
03 make an allegation of relatedness but rather
04 asked a question."
05 Did I read that correctly?
06 A. You did, yes.
07 Q. So this never got reported?
08 A. So there's two reasons why this
09 would not be a reportable under FIFRA
10 6(a)(2). The one is that it is a question
11 rather than an allegation. But actually
12 looking back at it, more specifically, EPA
13 reporting requires that you have a connection
14 to a specific EPA registered product, and
15 nowhere does he make that allegation in this
16 document.
17 He is asking whether he may
18 have this cancer as a result of exposure to
19 all the various chemicals he worked with at
20 Muscatine, which is a very, very large number
21 of different materials.
22 So this information as it comes
23 in would not be reportable.
24 Q. Muscatine has glyphosate as one
25 of the products that it produces, true?
00191:01 A. One of many products that it
02 produces.

232. PAGE 191:03 TO 191:08 (RUNNING 00:00:12.430)

03 Q. So here we have a gentleman
04 that worked around glyphosate, had abnormal
05 blood counts while working around glyphosate,
06 reports he has non-Hodgkin's lymphoma, and
07 you, sir, the medical safety officer, decide
08 not to report it?

233. PAGE 191:13 TO 191:18 (RUNNING 00:00:11.523)

13 THE WITNESS: This does not
14 meet the basic reporting requirements
15 under FIFRA 6(a)(2) for required
16 reporting. There is no allegation of
17 relatedness to a specific registered
18 pesticide product.

234. PAGE 191:20 TO 191:23 (RUNNING 00:00:07.936)

20 Q. So until a blue collar guy who
21 works at the factory can figure out that it's
22 related, it doesn't have to be reported; is
23 that what I understand?

235. PAGE 192:03 TO 192:11 (RUNNING 00:00:18.350)

03 THE WITNESS: It says right
04 here. I'm not suggesting we ignore
05 it; I'm not suggesting we fail to
06 respond to the employee.
07 Currently, as worded, this
08 would not trigger a 6(a)(2) report.
09 It is not reportable because I do not
10 have a specific registered product to
11 link this report to.

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236. PAGE 192:13 TO 192:18 (RUNNING 00:00:10.788)

13 Q. Sir, and nobody got back to
14 Randall Baker [sic] and say, "Hey, there's
15 been epidemiological studies showing an
16 association. You might want to mention this
17 to your physician in hopes of getting the
18 best possible treatment"?

237. PAGE 192:23 TO 193:20 (RUNNING 00:00:50.668)

23 THE WITNESS: So two things:
24 One is that as far as his treatment
25 goes, there's no information that we
00193:01 would provide him that would make any
02 difference in his treatment. The
03 cause of a cancer doesn't determine
04 how it's treated. So your proposition
05 that this would have in some way
06 changed his management is clearly
07 incorrect.
08 But secondly, I believe that
09 there was ongoing communications with
10 this patient, and so, you know, this
11 issue was discussed with the employee
12 and it was resolved.
13 And I don't think that all of
14 the communications around this is
15 necessarily reflected in this e-mail.
16 There were telephone conversations as
17 well around this individual.
18 So he was responded to and
19 provided with information, but this is
20 not reportable under FIFRA 6(a)(2).

238. PAGE 193:22 TO 194:12 (RUNNING 00:00:32.402)

22 Q. You say there were phone
23 conversations.
24 Did you talk to Mr. Randall
25 Baker [sic]?
00194:01 A. I don't recall talking to him
02 directly. I may have. I believe I spoke
03 with the occupational nurse, Jean Edwards,
04 and that she did the primary communication.
05 She had known this individual for many years.
06 Jean has been a nurse there -- well, for
07 longer that I've been at Monsanto.
08 Q. Did she call Mr. Baker [sic]
09 and tell him that there's been an association
10 with non-Hodgkin's lymphoma and exposure to
11 glyphosate and you might want to consider
12 that?

239. PAGE 194:15 TO 194:25 (RUNNING 00:00:27.518)

15 THE WITNESS: I don't know the
16 exact content of that conversation.
17 QUESTIONS BY MR. MILLER:
18 Q. Well, let's go back to the
19 issue of whether it should have been
20 reportable, and let's go down to page 82364,

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21 the next page, where on the bottom of the
22 page Annemieke De Wilde -- and what was her
23 title again there at Monsanto?



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24 A. She's head of occupational
25 medicine.

240. PAGE 195:01 TO 195:06 (RUNNING 00:00:14.248)

00195:01 Q. She writes to you and says, "I
02 agree that this is not an allegation. In
03 previous lives, the company has kept this on
04 file."
05 What does she mean by that,
06 "previous lives"?

241. PAGE 195:09 TO 195:19 (RUNNING 00:00:28.994)

09 THE WITNESS: Yeah, I have no
10 idea what she is referring to there.
11 And we have occupational
12 physicals that were done over time for
13 various reasons depending on someone's
14 job classification, but she's confused
15 completely around the reporting issues
16 because this is a registered pesticide
17 substance and it wouldn't fall under
18 TSCA 8(c), it would fall under FIFRA
19 6(a)(2).

242. PAGE 195:21 TO 196:06 (RUNNING 00:00:36.486)

21 Q. Here's what she says on
22 December 3, 2014, at 1:09 in the afternoon.
23 She says, "If similar, quote, 'stories
24 surface,' the combination of stories may make
25 it an allegation subject to TSCA 8(c)."
00196:01 That's what she says, right?
02 A. That's what she says, but,
03 number one, I'm not aware of any similar
04 stories, as she puts it in quotes, that
05 appeared at the Muscatine facility, but she's
06 also incorrect about the TSCA 8(c).

243. PAGE 196:07 TO 196:10 (RUNNING 00:00:13.394)

07 Q. Well, this is in December
08 of 2014. That's one month after you received
09 a call from Lee Johnson about his story which
10 seems awful similar, doesn't it?

244. PAGE 196:18 TO 196:23 (RUNNING 00:00:17.064)

18 THE WITNESS: Yes.
19 So, yes, your timing is
20 correct. You know, they are different
21 tumor diagnoses and, in fact,
22 Mr. Johnson's information was reported
23 to US EPA.

245. PAGE 196:25 TO 197:14 (RUNNING 00:00:46.786)

25 Q. When was that?
00197:01 A. I know for certain it was
02 reported in March of 2015. Whether it was
03 reported earlier or not, I do not know.
04 Q. March of 2015.
05 And how was it reported?
06 A. It went in as a FIFRA 6(a)(2)
07 report. We had looked earlier -- I don't
08 remember the exhibit number -- at the Poison
09 Control Center document that reflected his
10 case, and that would have been a part of the

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11 6(a)(2) notification to EPA.
12 Q. Moving on with Randall Barker's
13 complaint, you go on to say to Anna a few

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14 hours later on page 82359, "I agree with the

246. PAGE 197:15 TO 197:22 (RUNNING 00:00:22.960)

15 Adverse Effects Committee, there is no FIFRA
16 6(a)(2) report needed for glyphosate or other
17 active ingredients at this time. With no
18 clear allegation or specific association, I
19 do not believe there is a TSCA 8(e) report
20 issue either."
21 So not reportable under either
22 code according to Dr. Goldstein, right?

247. PAGE 197:25 TO 198:01 (RUNNING 00:00:01.698)

25 THE WITNESS: Yes, that is
00198:01 correct.

248. PAGE 198:03 TO 198:06 (RUNNING 00:00:09.485)

03 Q. Fair to say that Monsanto knows

 -KE0326-003 - Clear Attached Exhibit 0326-003




04 a lot more about this chemical and the
05 complaints thereto than EPA if you're not
06 sending these documents to the EPA, right?

249. PAGE 198:10 TO 198:15 (RUNNING 00:00:11.507)

10 THE WITNESS: Sir, there's no
11 utility here for EPA whatsoever.
12 There's no allegation of relationship
13 to any specific agent. There's
14 nothing they can do with this if it
15 was submitted.

250. PAGE 199:10 TO 199:17 (RUNNING 00:00:30.080)

10 Q. Let's look at your
11 disagreements with IARC. And we've marked
12 the first publication of IARC in the Lancet

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13 as Exhibit 30. I want to go over that with
14 you.

15 Here's a copy, sir.

16 Seen this before?

17 A. Yes, I have.

251. PAGE 199:18 TO 200:16 (RUNNING 00:01:05.619)

18 Q. Lancet, that's a peer-reviewed
19 journal, right?

20 A. It is in general a
21 peer-reviewed journal. It is also the
22 official organ of record for IARC, so it
23 publishes IARC decisions and documents
24 without peer review.

25 Q. Now, so the jury understands,
00200:01 carcinogenicity means what, sir?

02 A. Ability to cause cancer.

03 Q. And one of the chemicals they

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04 looked at was glyphosate, right?
05 A. Yes.
06 Q. "In March 2015, 17 experts,
07 right, from 11 countries" --
08 Did I read that correctly?
09 A. Yes.
10 Q. -- "met at the International
11 Agency for Research on Cancer, IARC, to
12 assess the carcinogenicity of" -- several
13 products.
14 The one we're interested in is
15 glyphosate, right?
16 A. Yes.

252. PAGE 200:23 TO 201:01 (RUNNING 00:00:08.966)

23 Q. What these 17 experts from 11
24 countries -- by the way, do you know these
25 people are volunteers, they don't even get
00201:01 paid? Are you aware of that?

253. PAGE 201:09 TO 201:10 (RUNNING 00:00:04.774)

09 Q. Are you aware that the IARC
10 experts are volunteers and do not get paid?

254. PAGE 201:16 TO 202:03 (RUNNING 00:00:28.056)

16 THE WITNESS: I do not know the
17 arrangements on payments for these
18 individuals. I know that those that
19 come from governmental regulatory
20 agencies don't get any additional
21 payment.
22 And I know that Dr. Portier,
23 who was an invited special expert for
24 this process, had no significant
25 previous experience with glyphosate
00202:01 and was paid \$160,000 by plaintiff's
02 attorneys within six days after the
03 meeting. So some of them get paid.

255. PAGE 202:10 TO 202:11 (RUNNING 00:00:05.242)

10 Q. And Monsanto was allowed to
11 send an invited observer to the IARC, right?

256. PAGE 202:14 TO 202:23 (RUNNING 00:00:18.098)

14 THE WITNESS: There was an
15 industry observer, yes.
16 QUESTIONS BY MR. MILLER:
17 Q. Monsanto paid for him to go to
18 the IARC meeting; you know that?
19 A. I don't know any of the
20 arrangements for payment, whether he was
21 reimbursed for his time, whether travel was
22 covered. I had no involvement with that
23 conversation.

257. PAGE 203:13 TO 203:17 (RUNNING 00:00:07.618)

13 Q. You say "industry
14 representative." Monsanto representative.
15 Are you aware he was listed as
16 a representative of Monsanto at the meeting,
17 sir?

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258. PAGE 203:20 TO 204:03 (RUNNING 00:00:14.546)

20 THE WITNESS: I don't know how
21 he was listed. I don't believe it was
22 a Monsanto permanent employee, but I
23 don't know anything about the listing.
24 QUESTIONS BY MR. MILLER:
25 Q. And you've mentioned
00204:01 Dr. Portier. The truth of the matter is,
02 Dr. Portier was not a voting member of the
03 IARC panel. Are you aware of that?

259. PAGE 204:11 TO 204:15 (RUNNING 00:00:13.606)

11 A. My understanding is that the
12 invited special expert does not vote.
13 Q. So the 17 invited experts from
14 around the world who did vote, you know they
15 voted unanimously, right?

260. PAGE 204:18 TO 206:05 (RUNNING 00:01:42.616)

18 THE WITNESS: There was a
19 consensus. I don't know the precise
20 voting process.
21 QUESTIONS BY MR. MILLER:
22 Q. Let's look at what they said.

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23 Looking now at the bottom of the page, of the
24 second page, sir.
25 "Case-control studies of
00205:01 occupational exposure" -- stop right there.
02 Case-control studies are the
03 kind of studies like the Hardell study that
04 we talked about earlier; can we agree on that
05 much?
06 A. Yes.
07 Q. Okay. Occupational exposure
08 means what?
09 A. So in this context, primarily
10 applicators, not manufacturers.
11 Q. All right, sir.
12 Okay. Case-control studies of
13 occupational exposure in the United States of
14 America, Canada and Sweden reported what,
15 sir?
16 A. Are you asking me to read the
17 document?
18 Q. Yes, please.
19 A. "Reported increased risks for
20 non-Hodgkin's lymphoma that persisted after
21 adjustment for other pesticides."
22 It goes on to say that the Ag
23 Health Study cohort did not see a
24 significantly increased risk.
25 Q. Right, sir.
00206:01 Also tells us, these 17 experts
02 from 11 countries, that a "glyphosate
03 formulation promoted skin tumors in an
04 initiation promotion study in mice."
05 Did I read that correctly?

261. PAGE 206:08 TO 207:05 (RUNNING 00:00:59.468)

08 THE WITNESS: So, yes, you read
09 that correctly. It's not a relevant

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10 test system, but that is stated here.

11 QUESTIONS BY MR. MILLER:

12 Q. And these 17 experts from 11
13 countries go on to tell us that "glyphosate
14 has been detected in the blood and urine of
15 agricultural workers," indicating what, sir?

16 A. Indicating absorption.

17 Q. They go on to tell us that
18 "glyphosate and glyphosate formulations
19 induced DNA and chromosomal damage in mammals
20 and in human and in -- and animal cells in
21 vitro."

22 Did I read that correctly?

23 A. You did. There are very large
24 amounts of data that have been reviewed by
25 Kier and others regarding genotoxicity, and
00207:01 this does not reflect the weight of the
02 evidence.

03 And as far as I know, the human
04 study that was cited was repeated later and
05 was not replicable.

262. PAGE 207:06 TO 207:20 (RUNNING 00:00:35.496)

06 Q. "Glyphosate and glyphosate
07 formulations and AMPA" --

08 What is AMPA?

09 A. Yeah, aminomethylphosphonic
10 acid, which is a breakdown product of
11 glyphosate.

12 Q. Yes, sir.

13 A. It's also found in detergents,
14 so it enters the environment from several
15 sources.

16 Q. "Glyphosate, glyphosate
17 formulations and AMPA-induced oxidative
18 stress in rodents and in vitro."

19 Can you tell us what oxidative
20 stress is?

263. PAGE 207:23 TO 208:16 (RUNNING 00:00:42.076)

23 THE WITNESS: It's an
24 interesting question. Oxidative
25 stress refers to a variety of
00208:01 processes that happen in a cell as a
02 result of increased reactivity of
03 certain chemicals.

04 The relationship between
05 oxidative stress and cancer is
06 unclear, and in a number of these
07 studies the test systems involve
08 direction -- direct injection of this
09 material into the peritoneal cavity,
10 which is a completely irrelevant mode
11 of exposure.

12 QUESTIONS BY MR. MILLER:

13 Q. Well, to these 17 experts from
14 11 countries, their ultimate conclusion was,
15 quote, "the working group classified
16 glyphosate as" what, sir?

264. PAGE 208:21 TO 209:05 (RUNNING 00:00:17.211)

21 THE WITNESS: The document
22 says, "Working group classified
23 glyphosate as probably carcinogenic to
24 humans, parentheses, group 2A, close

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25 parenthesis."
00209:01 QUESTIONS BY MR. MILLER:
02 Q. "We declare no competing
03 interest."
04 Do you see that, sir?
05 A. Yes.

265. PAGE 209:07 TO 209:15 (RUNNING 00:00:26.644)

 -KE0328-002 - Clear Attached Exhibit 0328-002



07 After IARC reached the
08 conclusions that we've just read, it's fair
09 to say that Monsanto disagreed?
10 A. Yes, we did disagree. So did
11 many other people.
12 Q. And it's fair to say that you
13 made your disagreement very public?
14 A. I think that's a fair
15 assessment, yes.

266. PAGE 209:16 TO 209:20 (RUNNING 00:00:12.821)

16 Q. And in fact, 100 scientists
17 from around the world came to the defense of
18 IARC after Monsanto made their public
19 disagreement with IARC, and you're aware of
20 that, aren't you?


267. PAGE 209:23 TO 209:24 (RUNNING 00:00:02.408)

23 THE WITNESS: I'm aware of that
24 publication, yes.

268. PAGE 212:04 TO 212:06 (RUNNING 00:00:06.684)


04 Q. Let's take a look at the actual
05 letter from these 100 scientists who were
06 defending IARC.

269. PAGE 212:07 TO 212:23 (RUNNING 00:00:50.880)

 0330 -

07 Have you seen this before, sir?
08 A. I am aware of it. I have never
09 reviewed it in detail.



 0330-003 -

10 Q. Look with me at page 27419. It
11 lists the affiliation of these 100 people who
12 are defending IARC. And I don't want to go
13 every one of them, but you got the National
14 Cancer Institute in Bethesda, Maryland.
15 You see that, sir, page 2?
16 A. Yes.
17 Q. The Imperial College in London,
18 right, sir?
19 A. Yes.
20 Q. Norway Centre for Research in
21 Environmental Epidemiology. Are they listed,
22 sir?
23 A. Yes.




270. PAGE 213:03 TO 213:19 (RUNNING 00:00:57.074)


03 Q. Harvard School of Public

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04 Health, is that listed, sir?
05 A. Yes. These are institutional
06 affiliations. I don't know what the
07 expertise of these various individuals is,
08 and I haven't taken the time to investigate
09 them all.

 0330-004 -

10 Q. Go to page 3. We'll see Duke
11 University Medical School listed, sir?
12 A. Yes.
13 Q. Berkeley, California Berkeley?
14 Do you see that listed, sir?

 0330-005 -

15 A. Yes.
16 Q. Going to page 4, and I'm not
17 going to go over all of them, but the German
18 Cancer Research Center.
19 Do you see that, sir?

271. PAGE 213:22 TO 213:23 (RUNNING 00:00:01.616)

22 THE WITNESS: Yes, I do see
23 that.



TOTAL: 1 CLIP FROM 1 DEPOSITION (RUNNING 02:01:54.939)