

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS  
LIABILITY LITIGATION

MDL No. 2741

Case No. 16-md-02741-VC

This document relates to:


*Hardeman v. Monsanto*, 3:16-cv-00525-VC

**PRETRIAL ORDER NO. 115:  
ORDER RE PHASE 2 OPENING  
STATEMENTS**

Despite the parties' supplemental briefs, significant ambiguities remain in how the plaintiff's design defect claim would proceed at trial. Therefore, the plaintiff is precluded from referencing the design defect claim in his opening. However, given the stage of the litigation at which this issue has arisen, the plaintiff will be given one more chance to explain the basis for this claim, and if adequate evidence is presented, the court will likely permit the claim to go to the jury.

**IT IS SO ORDERED.**

Date: March 14, 2019

  
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Honorable Vince Chhabria  
United States District Court