

IN RE: ROUNDUP LITIGATION

FILED
NOV 24 2025
GREGG A. PADOVANO, J.S.C.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: BERGEN COUNTY
:
: Master Docket No.: BER-L- 7019-25
:
: Civil Action
:
: ~~PROPOSED~~ CASE MANAGEMENT
: ORDER NO. 2
: [NOVEMBER 12, 2025 CASE
: MANAGEMENT CONFERENCE]
:

THIS MATTER having been open to the Court at the Initial Case Management Conference held on November 12, 2025, via Zoom, in the presence of the attorneys for the Plaintiffs and the attorneys for Defendants; and for good cause appearing;

IT IS on this 24TH day of NOVEMBER, 2025, ORDERED as follows:

I. INITIAL PROVISIONS

A. Applicability

This Order applies to all cases previously filed and all those hereinafter filed in the *In re: Roundup Litigation*, Case No. 642 (“Roundup MCL”).

B. Continuing Applicability of Case Management Order No. 1

Except as modified herein or any subsequent Case Management Order, the provisions of the Initial Case Management Order, entered on October 21, 2025, shall continue in all respects, including all procedures, protocols, and processes.

C. Attorneys

All Counsel are expected to act in a courteous, professional manner at all times during the conduct of this litigation. Each attorney should make a good-faith effort to resolve disputes without intervention of the Court and in an expeditious manner. Counsel shall attempt to resolve motions

before any matter is submitted to the Court and must certify to having made a good-faith attempt at the time of filing any motion. Moreover, this Court shall follow the New Jersey Rules of Professional Conduct.

D. E-filing:

All parties shall file individual actions on e-courts in accordance with the Court's Initial Case Management Order, dated October 21, 2025. Upon receipt of an electronically filed Complaint, Motion, or other pleading where the data entered by a Party does not accurately reflect the physical pleadings or other filing, the Clerk is GRANTED authority to update the data in the Judiciary's Automated Case Management System (ACMS) or upon New Jersey eCourts to accurately reflect what is listed on the physical pleading absent a subsequent court order. All parties consent to this provision.

II. PLAINTIFFS' AND DEFENDANTS' LEADERSHIP

A. Appointment of Counsel for Plaintiffs' Leadership:

By agreement of the Parties, the Court appoints the following attorneys to serve as Co-Lead Counsel, Liaison Counsel, and as members of the Executive Committee.

i. Plaintiffs' Leadership

1. Co-Lead Counsel

Asim M. Badaruzzaman, Esq.
NJ Attorney ID No.: 040462009
Sbaiti & Company NJ LLC
100 Mulberry Street
3 Gateway Center, Suite 1102
Newark, New Jersey 07102
(973) 954-2000
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Chantal Khalil Levy, Esq.
Weitz & Luxenberg P.C.
700 Broadway, Fifth Floor

New York, New York 10003
(212) 558-5864
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2. Liaison Counsel

Daniel R. Lapinski, Esq.
NJ Attorney ID No.: 004612001
Motley Rice LLC
210 Lake Drive East, Suite 101
Cherry Hill, New Jersey 08002
(856) 382-4670
dlapinski@motleyrice.com

3. Executive Committee

Jo Anna Pollock, Esq.
Simmons Hanly Conroy LLP
One Court Street
Alton, Illinois 62002
(618) 259-2222
jpollack@simmonsfirm.com

Lynne M. Kizis, Esq.
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Jennifer L. Emmons, Esq.
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127 Maple Avenue
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Christopher L. Schnieders, Esq.
Napoli Shkolnik PLLC
6731 W. 121st Street
Overland Park, Kansas 66209
(913) 246-3860
cschnieders@napolilaw.com

ii. Duties and Responsibilities of Plaintiffs' Leadership

1. Plaintiffs' Co-Lead Counsel:

Plaintiffs' Co-Lead Counsel ("Co-Leads") shall be charged with formulating and presenting plaintiffs' positions on all substantive and procedural issues arising during these pretrial proceedings and shall be deemed able to bind all plaintiffs' counsel to decisions regarding same. The Co-Leads shall submit and argue all motions and other matters or designate individual(s) to argue specific motions and other matters. At least one of the Co-Leads shall attend status conferences and such other hearings or conferences as may occur. The Co-Leads shall work with opposing counsel to develop and implement a litigation plan, ensuring that pretrial proceedings are conducted effectively, efficiently, and economically. The Co-Leads may delegate specific tasks to other counsel to further these prescribed goals and shall oversee, with the assistance of Plaintiffs' Liaison Counsel, all work of the Plaintiffs' Executive Committee, and assign tasks as needed. Moreover, Co-Leads shall provide regular updates to all attorneys for plaintiffs as the Roundup MCL progresses.

2. Plaintiffs' Liaison Counsel:

Plaintiffs' Liaison Counsel shall work directly with Plaintiffs' Co-Leads and shall fill in for the Co-Leads when necessary. Plaintiffs' Liaison Counsel shall be charged with facilitating the administration of these pretrial proceedings. To the extent service is not otherwise achieved through NJ eCourts, Plaintiffs' Liaison Counsel shall act as the primary recipients of the Court's orders on behalf of plaintiffs, distributors of plaintiffs' pleadings, notice, and motions to

Defendants' Lead Counsel, unless another party is specifically designated, and shall coordinate service and filings. Plaintiffs' Liaison Counsel, to the extent necessary, shall provide updates from any federal or state matters pending elsewhere. Plaintiffs' Liaison Counsel shall be reasonably available to communicate with the Court on administrative or procedural matters when necessary.

3. Executive Committee:

The Executive Committee (hereinafter "EC") is appointed by the Court to work under the direction of the Plaintiffs' Co-Leads and Plaintiffs' Liaison Counsel. The EC shall have an active role in all stages of the Roundup MCL, whether together or for a specific task group. When a specific task handled by a member or members of the EC is at issue at future case management conferences or hearings, such member(s) are encouraged to be present, and if proceeding is in person, physically present, to the extent applicable. All administrative time, costs, and fees, shall be submitted to Plaintiffs' Liaison Counsel or such other designated individual. A member of the EC's specific appointment or chair of any task group is at the discretion of the Plaintiffs' Co-Leads and Plaintiffs' Liaison Counsel.

B. Appointment of Counsel for Defendants:

By agreement of the Parties, the Court appoints the following attorney to serve as Lead Counsel for Defendants, Monsanto Company, Bayer Corporation, Bayer U.S. LLC, and Bayer CropScience LLC.

i. Defendants' Lead Counsel:

Stephen C. Matthews, Esq.
NJ Attorney ID No.: 055801994
DLA Piper LLP (US)
51 John F. Kennedy Parkway, Suite 120
Short Hills, New Jersey 07078
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stephen.matthews@us.dlapiper.com

ii. Duties and Responsibilities of Defendants' Lead Counsel:

Defendants' Lead Counsel shall be responsible for all activities associated with the coordination and representation of Defendants in this matter.

III. PRO HAC VICE ADMISSIONS

An attorney seeking to appear *pro hac vice* shall submit via NJ eCourts a motion for such relief, with necessary certifications, under short notice. The Parties shall indicate whether there is consent for the pending motion. For attorneys with multiple cases, the attorney may file a Motion for *Pro Hac Vice* under the Master Docket with an attached Schedule A whereby the Clerk can add the Court's Order to each of the individual dockets.

IV. MASTER PLEADINGS, SHORT FORM PLEADINGS, AND SERVICE

The Parties shall utilize both Master and Short Form Pleadings within the Roundup MCL. Plaintiffs are to file their Master Complaint on the Roundup MCL docket, BER-L-7019-25, on or before November ^{30,}~~21,~~ 2025.

The Parties shall meet and confer on a potential abbreviated service process upon the Defendants. The Parties will submit an order about service upon the Defendants if and when an agreement is met.

V. PENDING AND ANTICIPATED MOTIONS

A. Pending Motions

The currently pending thirty-five (35) Motions to Dismiss that were filed prior to the establishment of the Roundup MCL and order for a Master Complaint are **hereby administratively withdrawn *without prejudice***. All of the Defendants' arguments and Plaintiffs' responses are preserved until further adjudication by this Court.

B. Omnibus Motion to Dismiss Master Complaint

Defendants intend to file an Omnibus Motion to Dismiss the Master Complaint. The Court's decision on the Omnibus Motion to Dismiss shall be binding on all cases previously or subsequently filed in this Roundup MCL. The Court sets forth the following briefing schedule for the Omnibus Motion to Dismiss:

- i. Defendants shall file their Omnibus Motion to Dismiss on or before **December 12, 2025**, on the Master Docket with a copy of the motion served upon Plaintiffs' Co-Leads and Liaison Counsel by electronic mail;
- ii. Plaintiffs shall file their Omnibus Opposition on or before **December 30, 2025**, on the Master Docket with a copy of the opposition served upon Defendants' Lead Counsel by electronic mail;
- iii. Defendants shall file their Reply on or before **January 12, 2026**, on the Master Docket with a copy of the motion served upon Plaintiffs' Co-Leads and Liaison Counsel by electronic mail; and
- iv. The Parties' Lead Counsel shall appear for in-person oral argument on the Omnibus Motion to Dismiss at the next Case Management Conference, which will take place on the date set forth below.

VI. DISCOVERY

A. Discovery End Dates

All currently pending matters associated with the Roundup MCL shall have a discovery end date of **September 8, 2026**. This date is subject to further modification as this matter progresses.

B. Future Discovery-Related Orders

The Parties will submit a stipulated Confidentiality and Protective Order or their respective positions on any disputed matters to the Court on or before November 30, 2025. The Parties will meet and confer regarding the entry of an Order Governing Privilege Logs and an Order Governing Protocol for Electronically Stored Information. The Parties will strive to reach agreement on those items and submit proposed agreed orders for the Court's consideration.

VII. SCIENCE DAY FOR THE COURT

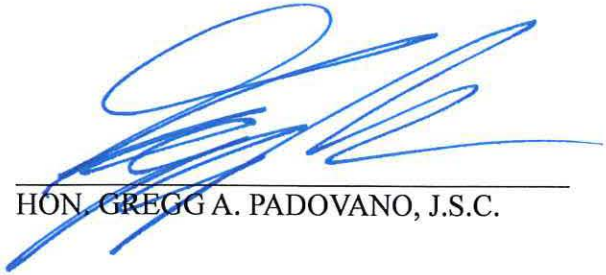
The Court finds that a Science Day will be beneficial. The Parties are directed to discuss applicable procedures and protocols for a Science Day to present for consideration by the Court. No formal deadline or hearing is ordered at this time.

VIII. FUTURE CASE MANAGEMENT CONFERENCES

Case Management Conferences will occur in a hybrid format, which will be bifurcated. The Parties' Lead and Liaison Counsel, along with any necessary counsel, shall be present in person at the Bergen County Courthouse, located at 10 Main Street, Floor 3, Hackensack, New Jersey 07601. After an initial 30- or 60-minute conference with those attending in person, all other counsel who wish to participate are free to attend remotely via Zoom or phone conference. Case Management Conferences shall be held approximately every sixty (60) days, unless otherwise ordered by the Court or requested by the Parties.

The next Case Management Conference will take place on January 21, 2026, with the initial conference for ~~in-person attendees~~ ^{LIAISON COUNSEL} commencing at 10:30 ^{ALL COUNSEL} a.m./p.m., and the remote aspect of the proceeding commencing at 11:00 a.m./p.m. ^{THE CONFERENCES MAY BE BY ZOOM OR TELEPHONIC. ADVANCE NOTICE OF CMC FORMAT WILL BE PROVIDED BY LIAISON COUNSEL.}

IT IS FURTHER ORDERED that this Order shall be deemed served upon all parties when uploaded to eCourts.



HON. GREGG A. PADOVANO, J.S.C.