

News

BCLP SECURES ANOTHER APPELLATE WIN FOR MONSANTO IN ROUNDUP LITIGATION

Jun 27, 2025

A three-judge panel of the Missouri Court of Appeals on June 24 unanimously affirmed a trial court's decision to end a case against BCLP client Monsanto before it reached a jury, marking another significant win in the firm's ongoing defense of Monsanto in Roundup litigation nationwide.

This latest victory in the Eastern District of Missouri follows a string of successful outcomes for Monsanto, including the recent Florida appellate ruling in Behar and the Erickson decision last fall. Together, these rulings continue to reinforce the legal and scientific barriers plaintiffs face in attempting to link Roundup to cancer.

In this case, plaintiff Mark McCostlin alleged that his use of Roundup over several decades caused him to develop non-Hodgkin's lymphoma. The trial court, however, granted Monsanto's motion for a directed verdict, finding that the plaintiff's expert failed to provide sufficient evidence that Roundup caused Mr. McCostlin's cancer. The appellate court agreed, emphasizing that the expert's testimony merely suggested Roundup "contributed to risk" rather than establishing actual causation.

The court rejected arguments that the trial judge had improperly weighed evidence or made credibility determinations, noting instead that the plaintiff's own expert never offered a clear opinion that Roundup caused the illness. The court also upheld the trial court's decision to block additional expert testimony that would have contradicted the parties' prior stipulations.

BCLP's team was led by Global Department Leader – Litigation & Investigations Lee Marshall (San Francisco), Partner Tim Hasen (St. Louis) and Partner Saurish Appleby-Bhattacharjee (Chicago).

BCLP continues to represent Monsanto in active Roundup litigation and appeals across the United States.

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- Litigation & Dispute Resolution
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