

1 UNITED STATES OF AMERICA
2 SOUTHERN DISTRICT OF ILLINOIS

3 *In re:* PARAQUAT PRODUCTS)
4 LIABILITY LITIGATION) Case No. 3:21-md-03004-NJR
5 This Document Relates to) MDL No. 3004
6 All Cases)

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9 TRANSCRIPT OF HEARING
10 RE: ATTORNEY AIMEE WAGSTAFF
(In Person and Videoconference)

11 BEFORE THE HONORABLE NANCY J. ROSENSTENGEL
12 UNITED STATES CHIEF DISTRICT JUDGE

13 October 14, 2025
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1 (Videoconference proceedings began at 9:00 a.m.)

2 COURTROOM DEPUTY: The matter of *In Re: Paraquat*
3 *Products Liability Litigation versus Syngenta Crop*
4 *Protection, LLC, et al.*, Case No. 21-MD-3004, is called for
5 a hearing on the Court's October 6, 2025, Order.

6 will the parties in the courtroom please identify
7 themselves?

8 THE COURT: And Miss Wagstaff is here, and I
9 understand with counsel.

10 who is with you at the table?

11 MS. WAGSTAFF: Yes, Your Honor.

12 MR. DOWNEY: Michael Downey representing Miss
13 Wagstaff.

14 THE COURT: All right. And who else at the table?

15 MR. ROWE: Kevin Rowe, paralegal.

16 THE COURT: Okay. Good morning.

17 And for Syngenta?

18 MR. NARESH: Good morning, Your Honor. Ragan Naresh
19 from Kirkland Ellis for Syngenta.

20 MS. SMITH: Good morning, Your Honor. Leslie Smith
21 for Syngenta.

22 THE COURT: Good morning.

23 MR. DeJULIUS: Good morning, Your Honor. Leon
24 DeJulius from Jones Day on behalf of Chevron USA.

25 THE COURT: Good morning.

1 MS. REISMAN: Good morning. Sharyl Reisman from
2 Jones Day for Chevron USA.

3 THE COURT: Well, good morning, everyone. We have
4 established a Zoom and I think, also, a phone line for
5 anyone who wanted to join.

6 So, as Deana called, this is before the Court, my
7 October 6 Order, ordering Miss Wagstaff to appear, and the
8 claim, the basis and motive for a videoconference that she's
9 planned. So, she's here. That's good. She has counsel.
10 That's good.

11 Certainly, this all could have been avoided if Miss
12 Wagstaff had agreed to not go forward with the
13 videoconference when Special Master Ellis called her and
14 explained my concern and frustration that she was doing
15 this, which I think was explained in the October 6 Order.

16 So, Miss Wagstaff, what are you doing?

17 MR. DOWNEY: If I may, Your Honor. I thought I
18 would do a very brief introduction and then let Miss
19 Wagstaff speak.

20 THE COURT: Okay.

21 MR. DOWNEY: The call -- the -- Miss Wagstaff, as
22 you know, still represents plaintiffs in the MDL. And
23 there's a concern that she's been receiving calls from other
24 plaintiffs' counsel in the MDL. Really, there's just a
25 question of the information they're receiving, what's going

1 on with the settlement.

2 The thought that Miss Wagstaff had in setting -- in
3 this call, at that time about five weeks ahead, which --
4 just really to gather people together to share information
5 about the settlement so that they would be able to make the
6 best decision for their individual clients.

7 And so, there was no attempt to undermine the
8 dignity of this Court or the settlement itself. They really
9 just wanted to make a good decision so that they could
10 advise their clients on how to participate.

11 THE COURT: Well, the problem with that is, it's my
12 understanding that all the information about the settlement
13 is -- hasn't been shared because it's still in the works.
14 So, it certainly looks like an attempt to undermine the
15 Court's order, assuming things that aren't even known.

16 MR. DOWNEY: Well, and that's exactly the case, Your
17 Honor. So, people don't know, but people are all talking.
18 And so, there's a desire for people to get together and
19 share the information. And the thinking was that in the
20 five weeks between when the call was set and when the call
21 would be held, that additional information would become
22 known.

23 Miss Wagstaff actually reached out to the leadership
24 of the plaintiffs' counsel and did not receive return phone
25 calls from most of them. So, really, it is a situation

1 where there's just a desire for more information. And
2 rather than trying to talk to each individual person that
3 calls, the thinking was to set a call to allow everyone to
4 share information. It's an open call. If, you know,
5 plaintiffs' leadership wants to be on the call, that's
6 certainly fine. And the idea would be to, to simply allow
7 for a sharing of information.

8 THE COURT: Well, it's my understanding that was
9 another thing, that it was sent to the Women En Mass
10 listserv, which would probably include people who are in the
11 MDL, as well as people who aren't in the MDL, and that
12 leadership -- it sounds like she's heading this up, and, of
13 course, had an opportunity to be on leadership and declined.
14 But she's heading this up to, you know, subvert the MDL
15 settlement process and the -- what leadership is trying to
16 accomplish in getting the MDL settled.

17 MR. DOWNEY: Sure. And, Your Honor, this is not a
18 class action. Each plaintiff's counsel has the obligation
19 to advise their individual client, and the client has the
20 power to decide whether or not they choose to participate.
21 And they really felt they just needed more information. You
22 are correct, it started with the women in Torts group. That
23 is a group that Miss Wagstaff has been leadership in.

24 And there was no offense intended with regard to
25 Miss Wagstaff stepping out of leadership. When she saw how

1 the leadership was formed, she felt it was not a good use of
2 her time and energy to work with the leadership. She wasn't
3 comfortable with some of the team and felt it would be best
4 for her to go ahead and not be part of that leadership.

5 And, obviously, you know, a leadership position in
6 MDL is a prestigious position. It can often be a position
7 that leads to, you know, a lot of financial remunerations
8 and things. And by stepping out right away, she was making
9 it clear that she was electing not to participate and that
10 she didn't expect any compensation or anything.

11 So, she felt, at the time, it was the appropriate
12 thing to do and, you know, did not mean any offense to the
13 Court or to any of this process at all.

14 And, I mean, obviously, I know you'd like to hear
15 from her, as well. I'm not -- you know, we're expecting
16 Miss Wagstaff to speak, but I did want to --

17 THE COURT: Okay.

18 MR. DOWNEY: -- say a little bit initially.

19 THE COURT: All right. And -- okay. Thank you, Mr.
20 Downey.

21 MR. DOWNEY: Thank you, Your Honor.

22 THE COURT: And, Miss Wagstaff, I see you're on
23 crutches. So, if you'd be more comfortable seated --

24 MS. WAGSTAFF: No problem.

25 THE COURT: Okay. And again, just speak into the

1 microphone because we are on Zoom.

2 MS. WAGSTAFF: Sure. Good morning.

3 THE COURT: Good morning.

4 I meant to say, too, we do have a court reporter.
5 She's just present remotely.

6 MS. WAGSTAFF: So, I read your -- obviously, your
7 October 6 Order. And the first thing I wanted to start with
8 was an apology for resigning from your leadership committee
9 four and a half years ago.

10 I wanted this MDL. I filed papers to support this
11 MDL. I went back and looked at my papers and they, in fact,
12 listed you as one of the judges to lead this MDL. I have
13 the utmost confidence in -- or -- confidence in this Court
14 and in this process.

15 As you remember, the application process was a blind
16 process. We e-mailed our applications to you. We didn't
17 know who else was applying. There had been a lot of
18 strategy disputes in California and the JCCP. And when the
19 leadership team was announced, it became very clear to me
20 that my strategy for doing this case did not align with the
21 leadership that you had appointed.

22 In a normal situation, I would have called you and
23 reached out to you and talked to you about it, but obviously
24 I can't do that with you being a judge and me being a
25 lawyer. And so, right away I resigned, because I thought

1 that I could be replaced and I didn't want to get too far
2 down the road with me sort of doing that. And I wanted to
3 keep litigation control of my clients and the strategy
4 there, and then -- so -- so the only real venue left that
5 was sort of available for me to do that and to employ my own
6 litigation strategy was in Philadelphia. So, I went there
7 and I've been litigating there.

8 But it was not meant to be any offense to you or to
9 this Court. And I understand how that looks and I'm -- I
10 deeply apologize for that.

11 THE COURT: Well, let me just say, before I forget.
12 So, my recollection, too, is that I had been very clear when
13 I set out to appoint leadership that I didn't want slates;
14 that I wanted to appoint individuals. And, of course, I
15 don't know all the personalities and the history and the
16 conflicts and all of that. I just know there's a history,
17 particularly in this court, of another judge handling MDLs
18 who would just take a slate and, therefore, you know,
19 continue to appoint the same people every time. And I
20 didn't want that. And so, you provided a slate and so,
21 right then, I saw that as going against kind of my goals of
22 appointing leadership and, you know, if -- when I
23 interviewed you, you could have said, "I can't work with X,
24 Y, and Z" or something to that effect.

25 So -- I'm just saying that to just a little -- to --

1 you know, to make clear, part of when, you know, I -- but
2 yet, I wanted you on the leadership and that, you know, that
3 was years ago.

4 MS. WAGSTAFF: No. I understand that. And I'll say
5 this. And I have professional relationships with the
6 co-leads who are all -- you know, I'm looking at their faces
7 right there. I have professional relationships with all of
8 them that, that are -- predate this litigation and will,
9 hopefully, postdate this litigation. So, I don't want to go
10 into who it was or what happened or all of that information.

11 But I will say that, that I did not know who was
12 applying at the time. And when the leadership announcement
13 came out, you know, I have a -- I only have a finite amount
14 of time and resources and I had to make a decision that was
15 in the best interests of my client. And I -- it was my
16 clients. And it was a hard decision. I made it right away.
17 And I thought that was in the best interests of everyone
18 going forward.

19 And I know it was four and a half years ago, but I
20 read it in the Order. And I realized, when I read it in the
21 order, that I had yet to apologize for that. And so, I am
22 very sorry about that.

23 And everything that I had done leading up to that,
24 including -- I remember the Zoom interview. It was during
25 COVID. I remember that. Everything that I said to you was,

1 was -- on that interview was true and honest and, and I
2 meant it. I wasn't trying to get appointed and then resign.
3 So, I -- we've probably beat this --

4 THE COURT: Sure. Yeah, it's water under the
5 bridge.

6 MS. WAGSTAFF: Okay. So now moving forward, what am
7 I doing? Okay. So, I have been litigating this case in
8 Philadelphia for a while now. We had a trial set in
9 January, I think again in March or May -- I don't know,
10 Special Master Ellis can correct me if I'm wrong on the
11 dates -- and it just kept getting moved back and forth.

12 The MDL settlement has been front and center in the
13 state court litigation, oddly, as a means to sort of delay
14 and push back our trials and some of our settlements.

15 Another thing that I think I should mention is that
16 a lot of what I'm being asked to talk about right now sort
17 of infringes on Rule 408, or whatever the Philadelphia state
18 court equivalent is, of conversations I've had with Special
19 Master Ellis, conversations I've had with settlement
20 counsel, and so I need to be very careful. And so, if I'm
21 pretty vague on some things, that's why.

22 Obviously, if the Court wants further information, I
23 can give it to them.

24 So, everything that I have done, and everything that
25 I do as a lawyer, is to try to advocate zealously for my

1 clients in legal and ethical ways. I have been trying to
2 settle my Philadelphia and my MDL and everything, Paraquat
3 clients, for probably what seems like two or three years
4 now, and more earnest in the last year.

5 I was on the phone with Special Master Ellis. I
6 know that she has a direct line of communication to defense.
7 She had, in fact, said that she had been talking to the
8 defense lawyers, settlement counsel, that morning -- or that
9 afternoon. I had said to her, "I am going to send an e-mail
10 to the Women En Mass listserv and I am" -- oh, let me back
11 up a minute.

12 I get phone calls all the time, and so does -- so do
13 my colleagues, so does my CEO, from plaintiffs' lawyers who
14 are frustrated with the lack of information of the
15 settlement. There are a few people who called me, since
16 your Order came out, saying, *Thank God. Finally, we can*
17 *maybe get some information.* There is a complete dearth of
18 information out there about what is going on and people are
19 frustrated.

20 Part of your Order said that, *How am I having a*
21 *webinar when I don't know the information to talk about.*
22 Right? That was part of your Order.

23 I got an e-mail. I'm on the -- because I had -- as
24 you mentioned, I have federal cases. I'm on the e-mail
25 listserv of the plaintiffs' listserv. I received an e-mail

1 in July, I think 31st, or something -- I don't know, the
2 e-mail is on the table if you want to know the date -- from
3 the plaintiffs' counsel saying, in essence, *Congratulations.*
4 *We have a settlement.* You know, and other stuff. And it
5 mentioned a date, and it said that only cases filed before
6 this particular date would be eligible.

7 So, I have that information, which means that this
8 isn't going to resolve all of the cases and people are
9 concerned about that.

10 And then there are three or four cases in the MDL
11 where we have co-counseled, and we have been co-counseled
12 with a law firm since 2022. In fact, I have entered my
13 appearance on at least one of them. And my colleagues has
14 entered their appearance on a couple of the other ones. And
15 the plaintiffs' lawyer -- the plaintiff co-counsel set up a
16 Paraquat Resolution listserv -- I don't know, something
17 called that -- and they sent to that listserv settlement
18 communication. And they sent -- they have my co-counsel, on
19 cases that I have entered my appearance on, receiving that
20 information. And included in that is criteria for
21 settlement, and tiers and -- Tier 1A, 1B, 1C, and all of
22 that stuff. I don't know if that has changed, but at one
23 point in time that was forwarded to me because we are
24 counsel of record, and co-counsel. And they had an
25 obligation to get my advice on what to do here.

1 Those cases were known to defense as being Wagstaff
2 Law Firm cases. I had entered my appearance. But yet, they
3 were still sent that information. So, I do have information
4 that is directly from co-leads about what is included in
5 that.

6 There is a lot of concern about the settlement, in
7 terms of the -- the two main pieces of settlement are injury
8 and exposure. There is a lot of concern in the plaintiffs'
9 bar, a lot, about the fact that this proposed settlement
10 only relates to, to a fraction of the injuries that are in
11 the MDL and that are in other -- in people's clients. And I
12 am trying not to say anything that's privileged and
13 confidential in open court because I know there's a reporter
14 here.

15 There's also, you know, the exposure side of it.
16 People are very concerned with the proof of exposure that
17 you have to have. People are, you know, clients are very
18 concerned -- I mean, lawyers are very concerned with those two
19 things, and they haven't even gotten the value.

20 And, you know, my e-mail to the Women En Mass
21 listserv talk about -- I generally know the value of these
22 cases. And I do. I mean, I generally -- I have been
23 engaged in hand-to-hand combat with the settlement counsel
24 for the last year and a half. I know how these cases are
25 valued. I know how they have told -- I know how -- they

1 have told me how they value the federal cases. And I know,
2 also, from my 20-plus years of being a lawyer, especially
3 most of that in the mass tort field, that when you settle a
4 case on the heels of a *Daubert* loss, that there are concerns
5 in the plaintiffs' bar on value. There just are.

6 And so you couple all of these things -- and the
7 plaintiffs' bar is very concerned. And I reached out to a
8 few people, you know, in preparation for this hearing to ask
9 if the co-leads have had a webinar or done anything like
10 that, and they haven't.

11 And so I -- so now take me back to -- so all of that
12 is sort of the buildup. And then I have been talking to --
13 I was talking to Miss Ellis on the phone and I told her I
14 was going to send this e-mail and she said, "Do it."

15 I think I said something like, "well, I don't want
16 to upset you. I don't want to mess up the deal." And she
17 said, "Send it." And so I sent it at 4:44 p.m. I looked at
18 it. And then at 4:44 p.m. -- so, the same exact minute -- I
19 forwarded it to Miss Ellis. This wasn't done in secret.
20 This wasn't something I was trying to hide.

21 One of the co-leads, I believe, is on the Women En
22 Mass listserv. I know that Miss Eskin received it and
23 forwarded it to Mr. Baghdadi. So, I knew that it was going
24 to get to the co-leads. And this, this again wasn't
25 something done in secret. Did I call the co-leads before?

1 No, I didn't. Maybe that was my, you know, fatal flaw. But
2 I called them right after. I called each one of them. I
3 call Mr. Flowers. I called Ms. Doles. I called Mr.
4 Baghdadi. None of them answered.

5 I texted each one. They -- Miss Doles responded
6 back and she said, "Let's talk tomorrow." I said, "I don't
7 want to blow up your deal. I didn't want to do that." She
8 said, "Let's talk tomorrow." I said, "Thank you for
9 responding."

10 The next day, I get a text from her that said, "It's
11 best we don't talk."

12 If they had wanted to join -- and if they still want
13 to join -- the webinar, they certainly can.

14 But my purpose is, is to make sure that the
15 plaintiffs' counsel knows what's going on and to help -- and
16 by the way, I do have federal cases. I mean, I -- and I do
17 have cases that have been invited to participate in this
18 deal. And so I was not -- and I made it very clear to
19 Special Master Ellis that I am not trying to, to blow up
20 this deal. I don't -- you could put me under oath and I
21 would tell you that I don't know what I'm going to say on
22 the webinar. I don't know what I'm going to say on the
23 webinar. It's a month out. Right? And so that is what I
24 was doing, that is what I am doing, and that is my intent
25 and motive. And I can answer any questions you may have.

1 THE COURT: Well, I mean, that's obviously getting
2 into a lot of weeds that I, you know, don't -- have not gone
3 and don't want to go in. I mean, a lot of it sounds like
4 just that. That you are trying to undermine the MDL
5 settlement.

6 Now, I am disappointed if the information is not
7 getting out from leadership to all plaintiffs' counsel, and
8 I will direct that any information that's available be
9 provided.

10 But, you know, to the extent that it really sounds
11 like, you know, you're -- I guess I can understand some
12 frustration if you feel like you're not getting information,
13 but then it certainly sounds like, no, this is kinda to
14 maybe get leverage by -- to maybe get your Philadelphia
15 cases settled by causing trouble in the MDL.

16 So, I'm going to direct leadership to provide any
17 information and, you know, I just -- you know, I just order
18 you to not, you know, undermine what they're trying to
19 accomplish and, you know, any efforts to, you know, blow up
20 the settlement. And, you know, and I guess the -- you know,
21 I know there's a settlement reached. Of course, that's my
22 goal, is to make sure that that moves forward and, you know,
23 and certainly I'm not going to tolerate anybody trying to
24 undermine it.

25 If, you know, if we end up that some cases have to

1 be tried, I mean, it's -- that -- you know, great. But, I
2 mean, a lot of work went into this settlement and I want to
3 see it move forward without people trying to attack it. And
4 to the extent -- I mean, I have issued enough orders in this
5 case about my concerns about the integrity of the docket.
6 So, I guess I'm a little concerned, too, that people are
7 having resistance to showing injury and proof of use, if
8 that's what it sounds like.

9 MS. WAGSTAFF: No. It's -- I'm sorry. I didn't
10 mean to say that, but -- I'm trying to think what I can say
11 that wouldn't -- let's say that there are -- there's like
12 the main injury. Right? And then there's like lesser
13 injuries. It's my understanding from the documents that I
14 have read that this settlement only deals with part of it --
15 some of the injuries. No one's saying that they're not
16 going to show documents of their injuries.

17 My understanding is that this settlement only deals
18 with Parkinson's diagnosis, and nothing less than that. And
19 so people are very concerned. As you know, probably from
20 *Daubert* and other things, you know, the only true way to
21 diagnose Parkinson's is when you're dead. And so, a lot of
22 people have Parkinson's that haven't been diagnosed. A lot.

23 And so, plaintiffs' lawyers are concerned that, you
24 know, what's -- where are the experts going to come from?
25 what's the leadership going to do with their cases? I mean,

1 this -- I know that you mentioned in your Order that this
2 was a global deal, but this deal's not even going to resolve
3 the MDL cases on file. This deal's not going to resolve
4 cases that are filed last week, next week. I mean, there is
5 -- there is grave concern over this and we haven't even
6 gotten the values of, of the -- you know, that they're
7 talking about.

8 And, you know, values have been thrown around in
9 many ways and people are concerned about the values of these
10 cases. And, you know, we've got a -- settlement has
11 happened before in this litigation. I mean, Mr. Tillery was
12 here. And his -- obviously -- deal was confidential. But
13 there is -- there is strong suspicion of what those values
14 were.

15 I mean, there is a precedence in the value of these cases
16 and -- so people are -- you know, without me saying a word,
17 people are very concerned about this deal happening because
18 they're like, you know, why would I settle some of my best
19 cases for low value -- I mean, I don't want to get into
20 all --

21 THE COURT: Sure.

22 MS. WAGSTAFF: -- the details. But the one thing I
23 want to say is that I'm not attacking the MDL deal because I
24 haven't seen it. And once, once the values go out to the
25 people, unless I'm co-counsel with them, they can't tell me,

1 oh, my client got 420,000-dollar offer, or whatever it is,
2 because that will be a confidential thing. But it's not --
3 I'm not attacking the MDL deal, but I do want to push back a
4 little on the fact that I should be able to share my
5 concerns and, and create a place where people can talk about
6 this.

7 I mean, I am -- what I want is to advocate the best,
8 the best result for my clients. And in doing so, help other
9 plaintiffs' lawyers have information. And, you know, if 20
10 people -- if we get together and 20 lawyers say, *This is a*
11 *great deal, we're taking it*, I mean, that's a data point.
12 If 20 lawyers get together and say this is a terrible deal,
13 you know, we're just talking about the terms right now,
14 which are sort of way more known than the values. And from
15 on its face, from what I have received from the co-leads
16 through my co-counsel, the terms are not great for a lot of
17 the plaintiffs.

18 And so that is what -- you know, and, and I -- like
19 I said, I called the co-leads. I texted the co-leads. You
20 know, only one responded back. They -- I'm inviting them
21 right now in open court.

22 You guys are welcome to join any webinar I have and
23 say, *Here's why it's great*. Or host your own and, and -- or
24 call me back.

25 I mean, it's sort of interesting that they didn't

1 call me back. I mean, it's sort of on line with the
2 noninformation stuff. I understand they were upset but,
3 come on.

4 THE COURT: well, I -- yeah. So, I think it would
5 be appropriate for -- and I'm going to direct Special Master
6 Ellis to facilitate a meet-and-confer, so to speak, that I
7 want to get -- because if the purpose of why you invited
8 people to a webinar was to -- because you don't have
9 information, then it certainly seems -- and I'm, you know,
10 disappointed to hear if they didn't call you back -- but
11 that information should come from leadership.

12 So, if that's the purpose then, you know, I'm going
13 to direct them to share whatever information they can
14 because that -- you know, it certainly didn't seem like
15 that was the purpose. So, you have explained some of that.

16 But I think, if you gain that information and that
17 was the purpose of the webinar, then there won't be a need
18 for a webinar that -- certainly one that wouldn't include
19 leadership and Miss Ellis. So, I think there's plenty of
20 time for that to happen and I think any information should
21 be shared.

22 And certainly, I mean, once all information is
23 known, any plaintiff has the right to say the settlement --
24 you know, to not take the settlement. Of course, I hope
25 that doesn't happen but, you know, but that wasn't my

1 concern.

2 So, you have explained that, you know, you need more
3 information. That's fair. But leadership was involved,
4 obviously, in the negotiation of the settlement. And, you
5 know, I just, again, the thought that others are out there
6 trying to, you know, undermine it, when all the information
7 isn't even known. So, I'm not going to get into he said she
8 said, who said what when. I just think you all need to get
9 together and talk about this. And -- you know, and I don't
10 want this to be used as leverage in the state cases.

11 I'm going to direct Miss Ellis to share this Order
12 -- share my Order with the state court judges. You know, if
13 you can get together -- I don't care what happens in state
14 court, quite honestly. So, if whoever wants to settle
15 whatever in state court, not my problem. My interest is
16 getting this MDL resolved, so.

17 MS. WAGSTAFF: I understand. And I would -- I would
18 appreciate -- I mean, I don't -- I just want to make sure --
19 I'm not going to try to undermine any MDL deal, but I do
20 think it is within my -- something that I can give my
21 opinion on. People call me a lot, especially because I'm,
22 you know, co-lead in the Philadelphia deal. And we've had
23 some different results and different strategy out there, and
24 people want to know what to do with their nonMDL cases.
25 People want to know if they can use our experts that have

1 passed *Sargon* and things of that -- or -- not *Sargon*. *Frye*,
2 or whatever it's called there. So, you know, people --
3 people want to know that. And I think that, you know, me
4 giving my opinion -- I mean, I certainly don't understand
5 you to be telling me I can't give my opinion on information
6 that has been presented to me, and I don't think that would
7 be appropriate. But I would ask that, you know, a
8 reciprocal leaving alone is that it's my understanding that
9 the state court trials -- that the counsel for the state
10 court -- or federal counsel, both plaintiff and defendant,
11 have asked this Court to contact the state court judges to
12 push trials to facilitate the MDL deal. And I would ask
13 that, that you instruct your counsel in this MDL court not
14 to do that, as well, in --

15 THE COURT: I have not. In fact, I have had
16 conversations with Judge Roberts and Judge -- I'm forgetting
17 who the first one was -- and Judge Treat in California.
18 And, you know, I've said, I don't -- you know, unlike most
19 federal judges, I don't have a big ego and it's like, if
20 they want to go first, go first. I don't care. So, I don't
21 know where that's coming from either, but I don't -- again,
22 I don't care what they do in state court. I want the MDL to
23 go forward, so.

24 You're smiling. What's funny?

25 MS. WAGSTAFF: Nothing's funny.

1 THE COURT: Okay.

2 MS. WAGSTAFF: I just...

3 THE COURT: Miss Ellis, is there anything that you
4 wanted to add?

5 MS. ELLIS: [Inaudible.]

6 THE COURT: Anyone on leadership who's on the Zoom
7 have anything you want to say?

8 MR. BAGHDADI: Good morning, Your Honor. Khaldoun
9 Baghdadi. I'm co-lead for plaintiffs.

10 Let me just briefly, at the top. On September 18,
11 we hosted a webinar --

12 THE COURT: You can be seated, Miss Wagstaff. I
13 think you'll be more comfortable.

14 MR. BAGHDADI: -- we hosted a webinar that was
15 attended by, I believe, 263 plaintiffs' counsel addressing
16 every issue and every conceivable question that could be
17 raised with respect to the terms of the settlement that are
18 available, the process for people to enter the settlement if
19 they so choose, and the informed consent process that would
20 be available to them.

21 THE COURT: I'm sorry. What was the date of this
22 webinar?

23 MR. BAGHDADI: September 18, Your Honor.

24 THE COURT: Okay.

25 MR. BAGHDADI: This is -- this is not something any

1 plaintiffs' lawyer wants to see. This is not a hearing that
2 anyone wants to attend. There has been zero effort to try
3 to stop, delay, or forestall any state court litigation case
4 on the part of the leadership in this MDL. We believe in
5 state and federal comity.

6 Miss Wagstaff was not included in the negotiations
7 for this MDL deal at her express request, which we
8 respected. Miss Wagstaff did indeed reach out to us, after
9 scheduling the webinar, and then wanted to talk about it.
10 There was no way for us to interpret it apart from an effort
11 to basically attempt to gain leverage in the Philadelphia
12 proceeding, or elsewhere. There's nothing much more to add,
13 above that.

14 We are committed and dedicated to obtaining fair and
15 reasonable compensation for those who wish to obtain it. We
16 are open to dialogue with any member of the plaintiffs' bar
17 in their decision making as to whether or not they want to
18 enter the settlement or not, but that requires for
19 discussion to be initiated before action is taken.

20 We are mindful of the Court's instruction to make
21 sure that all plaintiffs' counsel are apprised. We have
22 been in constant contact with plaintiffs' lawyers in cases
23 in the MDL, California or otherwise, and I just -- I think I
24 can just leave it at that.

25 THE COURT: All right. Well, do you have any

1 question about my Order to -- for you to meet-and-confer,
2 through Miss Ellis, with Miss Wagstaff, and make sure that
3 all plaintiffs' counsel have all the information that is
4 available?

5 MS. DOLES: I do, Your Honor.

6 I'm sorry. Sarah Doles for the plaintiffs.

7 I just want to make sure that we're -- we seem to be
8 talking about two different things.

9 So, Miss Wagstaff asked to be kept out of any
10 resolution, which we did. So, she has not been included on
11 any of the e-mails that were sent to counsel whose cases are
12 included in the resolution group.

13 When we have sent those communications to those
14 attorneys, details on the settlement, we have asked they not
15 be forwarded outside of their firm; therefore, any
16 co-counsel who forwarded her this information was doing so
17 on the wrong cases.

18 Anyone who received -- any of her co-counsel who's
19 received these communications, and also participated in the
20 webinar, received those communications because they
21 separately have cases filed in the MDL that are part of the
22 resolution group for which Miss Wagstaff is not entered as
23 counsel of record. So, she is getting information
24 apparently from other people who are receiving information,
25 but it doesn't apply to the cases where she's co-counsel.

1 So, I'm not sure why or how we would be meeting and
2 conferring with her about a resolution that does not include
3 any case in which she is counsel of record.

4 THE COURT: Okay. Well, again, I don't want to get
5 too far into the weeds.

6 But, Miss Wagstaff, would you like to respond to
7 that? They're saying you don't need the information because
8 your cases aren't included.

9 MS. WAGSTAFF: Well, yeah, I'll respond to that.

10 I have given defense a list of all my cases that,
11 that I am counsel -- that I have -- you know, that are sort
12 of contained within my law firm, on numerous occasions,
13 every Friday, for months. And from this particular firm,
14 all of those cases are included. I have entered my
15 appearance on some of the cases in the MDL, but certainly
16 not all of them.

17 So, I don't know what Miss Doles, necessarily, is
18 talking about because, you know, they had to -- they had to
19 forward that to me. I mean, I'm co-counsel of record. So,
20 it's like -- they're sending settlement information, and it
21 doesn't state which cases.

22 I went back and asked them. And the e-mail to these
23 plaintiffs' lawyers doesn't state, *This is for this case,*
24 *this case, this case.* It doesn't state that. And so it's
25 hard for them to know what cases they're related to.

1 But I think this is sort of a side issue because I'm
2 not really following what Miss Doles is saying about me not
3 supposed to be having that information.

4 THE COURT: All right. Well, this is way more in
5 the weeds than I want to get, so I'm going to -- again, this
6 is all something that you all are going to meet-and-confer
7 with Miss Ellis about. I think -- I don't want to get in
8 the weeds because it sounds like there's a whole lot going
9 on here that it would probably be better if I don't know a
10 lot about. But if it can't get resolved after you all meet
11 with Miss Ellis then, you know, we'll go down that path.
12 But I hope it doesn't come do that.

13 But if it's, you know, I need more information,
14 then, you know, I just took -- assuming that that was
15 something you were entitled to, and if -- you know, I'm not
16 going to get into it today. The purpose of this wasn't
17 that, you know, who's forwarding what, that they shouldn't,
18 and whatnot.

19 So, I'll get a report from Miss Ellis, once you all
20 have had an opportunity to kinda hash this out. And I hope,
21 after that, that I am, you know, assured that there are no
22 efforts to undermine the settlement process in the MDL, and
23 certainly not an attempt to undermine it, to gain leverage
24 in the state court litigation.

25 Is there anyone who would like to say anything on

1 behalf of Syngenta?

2 MR. NARESH: No, Your Honor.

3 THE COURT: Chevron?

4 MR. DeJULIUS: No, Your Honor.

5 THE COURT: All right. Court's in recess.

6 COURTROOM DEPUTY: All rise.

7 (Court adjourned at 9:40 a.m.)

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13 REPORTER'S CERTIFICATE

14 I, Christine Dohack LaBuwi, RDR, CRR, Official Court
15 Reporter for the U.S. District Court, Southern District of
16 Illinois, do hereby certify that I reported with mechanical
17 stenography the proceedings contained in pages 1-30; and
18 that the same is a full, true, correct and complete
19 transcript from the record of proceedings in the
20 above-entitled matter.

21

22 DATED this 16th day of October, 2025,

23

24 *s/Christine Dohack LaBuwi, RDR, CRR*

25 _____
Christine Dohack LaBuwi, RDR, CRR