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Attorneys for Plaintiffs

JOHN F. BUTLER and NICOLETTE BUTLER,

Plaintiffs,

v.

MONSANTO COMPANY, BAYER AG,
BAYER CORPORATION, BAYER U.S. LLC,
and BAYER CROPSCIENCE LP,

Defendants.

CIVIL ACTION

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ATLANTIC COUNTY**

DOCKET NO.: ATL-L-2192-24

**TRANSFERRED DOCKET NO.:
BER-L-4383-25**

ORDER

THIS MATTER, having been opened to the Court upon the application of SBAITI & COMPANY NJ LLC, counsel for Plaintiffs, for an Order to partially Reconsider this Court's March 14, 2025, interlocutory ruling; and the Court having considered the papers submitted in support of the Motion, the papers submitted in opposition thereto, the reply papers, and the arguments of counsel, for the reasons set forth on the record, and in the interest of justice;

IT is on the 3rd day of July, 2025;

ORDERED THAT Plaintiffs' Motion for Reconsideration of this Court's March 14, 2025, Interlocutory Order is hereby **GRANTED**; and it is further

ORDERED THAT Plaintiffs' claims for Mr. Butler's occupational exposure to Roundup are sufficiently pled as an environmental tort action, pursuant to N.J.S.A. § 2A:58C-1, *et seq.* and, thus, are not subject to, or subsumed by, the New Jersey Products Liability Act ("NJPLA"); and it is further

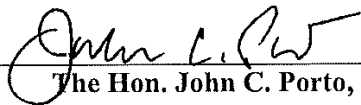
ORDERED THAT therefore, the common law claims in Plaintiffs' Complaint be and are hereby restored as initially plead, namely:

- (1) Plaintiffs' common law portions of Count I (Design Defect) and Count II (Failure to Warn) be and hereby are restored;
- (2) Plaintiffs' Count III (Negligence), Count V (Breach of Implied Warranties), and Count VI (Fraudulent Concealment) be and are hereby restored; and it is further

ORDERED THAT this Motion being ruled upon, and this Court having resolved all issues pending before it, transfer to the Bergen County be effectuated upon entry of this Order; and

IT IS FURTHER ORDERED THAT this Order shall be deemed served upon all parties upon its electronic filing on eCourts;

Dated:


The Hon. John C. Porto, P.J.Cv.

FOR THE REASONS SET FORTH ON THE RECORD ON JULY 2, 2025