MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
(City of St. Louis)

FILED
NOV 20 2026
22ND JUDICIAL CIRCUIT
CIRCUIT CLERK'S OFFICE
BY _____ DEPUTY

RANDALL KING, *et al.*,	)	
	)	
Plaintiffs,	)	
	)	No. 2622-CC00325-01
vs.	)	
	)	Division No. 8
MONSANTO COMPANY,	)	
	)	
Defendant.	)	

ORDER

The Court has before it the Holland Law Firm, Ketchmark & McCreight, P.C., Seeger Weiss LLP, Motley Rice LLC, Williams Hart Boundas, LLP, and Waters Kraus Paul & Siegel's (Class Counsel's) Petition For Approval of Attorneys' Fees and Class Representative Service Awards (Fees Petition). The Court now rules as follows.

On May 7, 2026, Class Counsel filed their Fees Petition pursuant to Missouri Supreme Court Rules 52.08 and 74.16, Paragraph 50 of the Court's March 4, 2026 Preliminary Approval Order, and Section 14.3 of the Settlement Agreement.

Class Counsel seeks the Order of this Court awarding attorneys' fees in the amount of 675 million dollars and service awards in the amount of $10,000 each for the named class representatives: Randall King, Scott Butterfield, Robert Koehler, Michael Merx, and Bruce Waldman[1].

Article XV, Section 15.1 of the Settlement Agreement provides:

Fee, Expense and Service Award Application by Class Counsel.

---

[1] Section 15.1(b) of the Settlement Agreement provides for an application for "reimbursement of costs incurred in connection with the Lawsuit." Class Counsel did not submit an application for reimbursement of costs.

> Pursuant to Section 14.3, Class Counsel will submit an application to the Court prior to the Fairness Hearing for: (a) an award of reasonable attorneys' fees; (b) reimbursement of costs incurred in connection with the Lawsuit; and (c) Class Representative and Subclass Representative service awards. The amount awarded pursuant to this Section 15.1 shall be in the discretion of the Court, subject to applicable law.

"The trial court is considered an expert on fees, given its familiarity with all of the issues in the case and with the character of the legal services rendered." Soto v. Costco Wholesale Corp., 502 S.W.3d 38, 55 (Mo. App. W.D. 2016); See also Western Blue Print Co., LLC v. Roberts, 367 S.W.3d 7, 23 (Mo. banc 2012); Bachman v. A.G. Edwards, Inc., 344 S.W.3d 260, 267 (Mo. App. E.D. 2011).

"While the trial court has discretion to award reasonable attorneys' fees, there are factors that may be considered to determine the amount of attorneys' fees to award." Berry v. Volkswagen Grp. of Am., Inc., 397 S.W.3d 425, 431 (Mo. banc 2013). "One consideration in determining the amount of attorneys' fees is the result achieved." Id. "Other relevant factors in determining the reasonable value and amount of statutorily authorized fees include: 1) the rates customarily charged by the attorneys involved in the case and by other attorneys in the community for similar services; 2) the number of hours reasonably expended on the litigation; 3) the nature and character of the services rendered; 4) the degree of professional ability required; 5) the nature and importance of the subject matter; 6) the amount involved or the result obtained; and 7) the vigor of the opposition." Id.

Following the Court's review of the voluminous record in this case, the Court finds that it must exercise its discretion under Missouri law and as provided in Section 15.1 of the Settlement Agreement to award less than the amount of attorneys' fees requested herein. The Court finds

that it should award attorneys' fees in the amount of 600 million dollars. This amount is 75 million dollars less than the amount requested and represents approximately 8.28% of the potential settlement amount of 7.25 billion dollars.[2] Courts approving megafund settlements, like this one, in the multibillion-dollar range typically award fees in the mid-single-digit to high-single-digit percentages, but not as high as double digits. Def.'s Resp. at p. 2 (citing In re Volkswagen "Clean Diesel" Mktg., Sales Practices & Prods. Liab. Litig., No. 3:15-md-02672, Dkt. No. 3053 (N.D. Cal. Mar. 17, 2017); Deepwater Horizon, No. 2179, 2016 WL 6215974 (E.D. La. Oct. 25, 2016); In re Vioxx Prods. Liab. Litig., 760 F. Supp. 2d 640 (E.D. La. 2010); In re Diet Drugs Prods. Liab. Litig., 553 F. Supp. 2d 442 (E.D. Pa. 2008); In re 3M Combat Arms Earplugs Prods. Liab. Litig., No. 2:19-md-2885, Dkt. No. 4118 (N.D. Fla. Nov. 13, 2024)). Furthermore, a reduction in the fee percentage awarded to Class Counsel would allow more compensation to go to class members and better align with comparable cases, while still fully recognizing the past and ongoing efforts of Class Counsel and other counsel. Id. at p. 4. In addition, a portion of these attorneys' fees may be awarded to counsel other than Class Counsel as provided in Section 15.2 of the Settlement Agreement.

In reaching this finding, the Court has considered the factors enumerated in Berry and reached the following determinations. See Berry v. Volkswagen Grp. of Am., Inc., 397 S.W.3d at 431.

First, the amount involved or the result achieved: the settlement obtained could be as high as 7.25 billion dollars paid out over 17 to 21 years, with a potential fund amount as low as 6.25

[2] The Court recognizes that the Settlement Agreement provides for attorneys' fees to be paid over seven years and the class member payouts will occur over up to twenty-one years. In addition, the total payout may be below 7.25 billion dollars.

billion dollars. The Court finds that this is a substantial and reasonable settlement considering the risks of litigating these cases. This factor supports approval of a 600-million-dollar attorneys' fee award.

Second, the rates customarily charged by the attorneys involved in the case and by other attorneys in the community for similar services: Class Counsel's customary fees of 33% to 45% fall within the normal range for attorneys in Missouri. "Missouri courts have long held that a contingency fee agreement between an attorney and client awarding one-third of the money collected to the attorney is reasonable and customary." Meyer v. Purcell, 405 S.W.3d 572, 581 (Mo. App. E.D. 2013). Despite the case law upholding the reasonableness of a one-third fee, the Court believes the lower amount it has chosen to award, as stated above, is appropriate. See Bachman v. A.G. Edwards, Inc., 344 S.W.3d 260, 267 (Mo. App. E.D. 2011)("[I]n the class action context, a one-third contingent fee award is not unreasonable."). This factor supports approval of a 600-million-dollar attorneys' fee award.

Third, the number of hours reasonably expended on the litigation. The record reflects that the Settlement was achieved after more than a year-and-a-half of arm's-length negotiations, and that Class Counsel's work will continue for the next two decades. It appears that there is the potential for tens of thousands of hours of work to be expended on this case. This factor supports approval of a 600-million-dollar attorneys' fee award.

Fourth, the nature and character of the services rendered. Class Counsel has spent considerable time, money[3], and effort in the negotiation of the Settlement and the protection of

[3] As noted by Mediator Kurdi, Counsel for Class Plaintiffs invested substantial time and resources. Declaration of Fouad Kurdi in Support of Preliminary Approval of Class Action Settlement at ¶ 21.

the Settlement through the approval process without any guarantee of recovery. This factor supports approval of a 600-million-dollar attorneys' fee award.

Fifth, the degree of professional ability required. This is an extraordinarily complex case that required consideration of thousands of separate trial and appellate court proceedings, the establishment of separately represented subclasses, and resolution of difficult issues posed by third-party liens. Class Counsel have exhibited exceptional legal skill. This factor supports approval of a 600-million-dollar attorneys' fee award.

Sixth, the nature and importance of the subject matter. The Settlement ensures that tens of thousands of cancer victims will receive significant compensation without enduring years of delay in litigation and the risk of no recovery. This factor supports approval of a 600-million-dollar attorneys' fee award.

Finally, the vigor of the opposition. It appears from the record that Defendant's counsel has engaged in intense negotiation and opposition to the substantial recovery obtained by Class Counsel in the Settlement. In addition, counsel representing Objectors to the Settlement are some of the most skilled lawyers in the United States. Class Counsel have protected the Settlement throughout the approval process despite this vigorous opposition, including multiple writs, motions filed in the federal Roundup multidistrict litigation, removal to the United States District Court for the Eastern District of Missouri, and subsequent appeal to the Eighth Circuit. This factor supports approval of a 600-million-dollar attorneys' fee award.

Accordingly, the Court finds that it should award reasonable attorneys' fees herein in the amount of 600 million dollars.

Class Counsel also requested service awards in the amount of $10,000 each for the Class

Representatives. The Court finds that the requested service awards are fair and reasonable. Accordingly, the Court will approve this request.

The Court reviewed the extensive briefing submitted by Class Counsel, Monsanto, and Objectors, all of whom had the opportunity to be heard at the Fairness Hearing.[4] The Court has considered all objections to the attorneys' fee awards and service fee awards and finds that they are without merit. Accordingly, except to the extent addressed by the reduction in the requested fee discussed above, the Court hereby overrules all objections to these awards.

The allocation of attorneys' fees shall be addressed in a subsequent Order, and the Court appoints Richard Arsenault to be the fee allocation special master to preside over this process under the Court's direction.

THEREFORE, it is Ordered and Decreed that Class Counsel's Petition For Approval of Attorneys' Fees and Class Representative Service Awards is hereby GRANTED as follows:

Attorneys' fees are awarded in the amount of 600 million dollars to be distributed as provided in Article XV of the Settlement Agreement.

Class Representative and Subclass Representative service awards are awarded as follows: Randall King, Scott Butterfield, Robert Koehler, Michael Merx, and Bruce Waldman shall each receive a service award of $10,000.

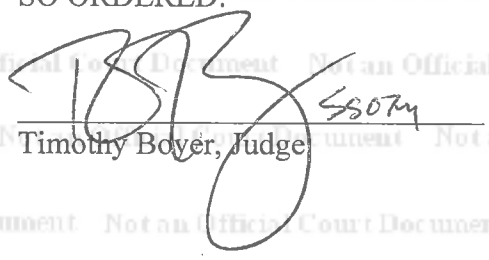
The Court appoints Richard Arsenault to be the fee allocation special master to preside over this process under the Court's direction.

The process for allocating attorneys' fees shall be addressed in a subsequent Order.

---

[4] Under the Preliminary Approval Order, any objector could request to be heard at the Fairness Hearing, and each objector who did so was given time to present argument, including on the requested attorneys' fees. (Prelim. Approval Order ¶¶ 37, 60; 9/14/26 Tr. 6, 8–9, 195.)

SO ORDERED:



Timothy Boyer, Judge

Dated: November 20, 2026

Not an Official Court Document