

Kansas Wheat Farmer Sues Monsanto for Gross Negligence Following Discovery of Unauthorized Genetical

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Wichita, Kansas — A Kansas wheat farmer today filed a civil lawsuit against Monsanto alleging gross negligence and other causes of action following press reports last week of the discovery of unapproved genetically modified wheat in an 80-acre field in Oregon. The farmer seeks compensation for damages caused by the discovery, which sent wheat export futures prices spiraling downward. The case may be the first of many Monsanto faces over alleged wheat contamination.

Susman Godfrey, one of the nation's leading trial firms, along with co-counsel the Murray Law Firm and Goldman Phipps, PLLC, filed the case before the Honorable Monti Belot, in the United States District Court for the District of Kansas.

"Monsanto has failed our nation's wheat farmers," said Stephen Susman, Susman Godfrey's lead attorney on the case. "We believe Monsanto knew of the risks its genetically altered wheat posed and failed to protect farmers and their crops from those risks."

After news broke of the discovery of the unapproved wheat, Japan and South Korea suspended some imports of American wheat, and the European Union, which imports more than 1 million tons of U.S. wheat a year, said it would ensure its "zero tolerance" policy against genetically modified crops was maintained. Kansas exports about 90 percent of its wheat.

According to Martin Phipps, who litigated similar contamination claims involving the U.S. rice crop over the past several years, the reaction in Asian and European markets does not come as a surprise. "Our agricultural trading partners have little tolerance when it comes to genetically modified foods. Contamination of non-GMO crops presents a huge risk to our agricultural economy."

Monsanto developed and planted the experimental wheat in open fields from 1998 to 2005. The company engineered the wheat to be resistant to glyphosate, the key ingredient in its own weed killer, Roundup. However the company never submitted the wheat to federal agencies for commercial approval when it became apparent that world markets did not want any form of genetically modified wheat.

Given the size of the wheat crop, farmers may face significant damages. New Orleans trial lawyer Stephen Murray stated: "The full extent of the damage Monsanto has caused is not yet known, but we are committed to helping farmers as the extent of the wheat contamination becomes clear."

Stephen Susman, founder of Susman Godfrey, along with Warren Burns, Terry Oxford, and Daniel Charest make up the Susman Godfrey team representing Plaintiff Ernest Barnes. Susman Godfrey's co-counsel include Stephen Murray and Arthur Murray of the Murray Law Firm and Martin Phipps of San Antonio's Goldman Phipps.

SUSMAN GODFREY

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