

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION – CIVIL

IN RE: PARAQUAT PRODUCTS
LIABILITY LITIGATION

MAY TERM, 2022

NO. 0559

ORDER-In Re: Paraquat Products Litigation [JNS]



22050055900499

DEEMING ORDER

AND NOW this 30th day of July 2025, this Court having been tasked with the efficient management of this mass tort program, it is **ORDERED** that the following motions of the parties and the corresponding Orders of this Court in *Nemeth, et al., v. Syngenta Crop Protection, LLC, et al.*, August Term 2021 No. 0644, and attached hereto, are **DEEMED** filed and decided in all cases pending within the *In Re: Paraquat Products Liability Litigation* mass tort program pending in the Court of Common Pleas of Philadelphia County.

All parties are instructed to tell each witness expected to be called at trial for any case within the above-captioned mass tort program about the contents of this Order and the Orders attached hereto.

- Defendants' Motion to Exclude the testimony of Frederick R. Davis, Ph.D. (Control No. 25011546);
- Defendants' Motion to Exclude the testimony of Briana DeMiranda, Ph.D. (Control No. 25011561);
- Defendants' Motion to Exclude the testimony of Timothy L. Fort, Ph.D. (Control No. 25011549);
- Defendants' Motion to Exclude the testimony of Richard Krolewski, M.D., Ph.D., and Nabila Dahodwala, M.D., M.S. (Control No. 25011669)
- Defendants' Motion to Exclude the testimony of Carlton R. Layne (Control No. 25011973);
- Defendants' Motion to Exclude the testimony of John Meeker, Sc.D. (Control No. 25011662);

- Defendants' Motion to Exclude the testimony of Jason Richardson, Ph.D. (Control No. 25011647);
- Defendants' Motion to Exclude the testimony of Beate Ritz, M.D., Ph.D. (Control No. 25011556);
- Defendants' Motion to Exclude the testimony of Alison G. Vredenburg, Ph.D. (Control No. 25011553);
- Defendants' Motion to Exclude the testimony of John Washington, Ph.D. (Control No. 25011550);
- Plaintiffs' Motion to Exclude the testimony of Jack Housenger (Control No. 25011653)
- Plaintiffs' Motion to Exclude defense experts from parroting the opinions of employees of the U.S. Environmental Protection Agency's Office of Pesticide Programs (Control No. 25011567);¹
- Plaintiffs' Motion to Exclude portions of defendants' expert testimony that parrot the hearsay opinions of Dr. Douglas Weed (Control No. 25011651).²

BY THE COURT



Roberts, J.

¹ This motion shall remain deferred in part as stated in the Order until such time as the Court decides the deferred issues as a motion *in limine*.

² This motion shall remain deferred in part as stated in the Order until such time as the Court decides the deferred issues as a motion *in limine*.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011546
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER


AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of Frederick R. Davis, Ph.D., and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Defendants' motion to exclude the testimony of Frederick R. Davis, Ph.D., pursuant to Rule 702(e) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Dr. Davis' testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal (JNS)




_____ J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 :
SYNGENTA CROP : Control No. ~~25011562~~
PROTECTION, LLC, et al. : 25011561
Defendants :
 :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of Briana R. De Miranda, Ph.D., and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Defendants' motion to exclude the testimony of Briana R. De Miranda, Ph.D., pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Dr. De Miranda's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal (JNS)



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J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011549
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of Timothy L. Fort, Ph.D., and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Defendants' motion to exclude the testimony of Timothy L. Fort, Ph.D., pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Dr. Fort's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal (JNS)



21080064400535


_____ J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011669
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of Richard Krolewski, M.D., Ph.D.; and Nabila Dahodwala, M.D., M.S., and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Defendants' motion to exclude the testimony of Richard Krolewski, M.D., Ph.D.; and Nabila Dahodwala, M.D., M.S., pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Dr. Krolewski's or Dr. Dahodwala's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal (JNS)



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J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. ~~25011440~~
SYNGENTA CROP : 25011973
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of Carlton R. Layne, and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Defendants' motion to exclude the testimony of Carlton R. Layne, pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Mr. Layne's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal [JNS]



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J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011662
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of John Meeker, Sc.D., and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:


- 1) Defendants' motion to exclude the testimony of John Meeker, Sc.D., pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Dr. Meeker's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal [UNS]



21080064400536


_____ J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011647
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of Jason Richardson, Ph.D., and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Defendants' motion to exclude the testimony of Jason Richardson, Ph.D., pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Dr. Richardson's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal (JNS)



_____ J.

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IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011556
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of Beate Ritz, M.D., Ph.D., and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Defendants' motion to exclude the testimony of Beate Ritz, M.D., Ph.D., pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Dr. Ritz's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal [JNS]



21080064400537


_____ J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011553
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude the testimony of Alison G. Vredenburg, Ph.D., and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Defendants' motion to exclude the testimony of Alison G. Vredenburg, Ph.D., pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Dr. Vredenburg's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

ORDER-Nemeth Etal Va Syngenta Crop Protection, Llc Etal [JNS]



21080064400534

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011550
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of defendants' Motion to Exclude in part the testimony of John Washington, Ph.D. regarding his opinion on consumer expectations only, and any response thereto, it is **ORDERED** that the motion is **GRANTED** pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 (Pa. 2003)). Plaintiffs are precluded from offering Dr. Washington's opinion on consumer expectations at trial.

BY THE COURT:



J.

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal [MS]



21080064400531

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011653
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of plaintiffs' Motion to Exclude the testimony of Jack Housenger, and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DISMISSED WITHOUT PREJUDICE IN PART** as follows:

- 1) Plaintiffs' motion to exclude the testimony of Jack Housenger, pursuant to Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 Pa. (2003)) is **DENIED**; and
- 2) Any remaining issues regarding the admissibility of Mr. Housenger's testimony including, but not limited to, relevance, scope, qualifications, or issues under Rule 702(a) or 702(b) of the Pennsylvania Rules of Evidence are **DISMISSED WITHOUT PREJUDICE** to be addressed at the time of trial.

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal [JNS]



21080064400533

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 : Control No. 25011657
SYNGENTA CROP :
PROTECTION, LLC, et al. :
Defendants :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of plaintiffs' Motion to Exclude defense experts from parroting the opinions of employees of the U.S. Environmental Protection Agency's Office of Pesticide Programs, and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DEFERRED IN PART**, as follows:

1. To the extent the motion raises Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 (Pa. 2003)), it is **DENIED**;
2. In all other respects, the motion is **DEFERRED** and shall be treated as a motion *in limine* to be addressed at the oral argument scheduled for July 9, 2025.

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal (JMS)



BY THE COURT:

A handwritten signature in black ink, appearing to be 'JMS', written over a horizontal line.

J.

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

DOUGLAS NEMETH AND DAWN : AUGUST TERM 2021
NEMETH, :
Plaintiffs, : NO. 0644
 :
v. :
 :
SYNGENTA CROP : Control No. 25011651
PROTECTION, LLC, et al. :
Defendants :
 :

ORDER

AND NOW, this 3rd day of July 2025, upon consideration of plaintiffs' Motion to Exclude portions of defendants' expert testimony that parrot the hearsay opinions of Dr. Douglas Weed, and any response thereto, it is **ORDERED** that the motion is **DENIED IN PART** and **DEFERRED IN PART**, as follows:


1. To the extent the motion raises Rule 702(c) of the Pennsylvania Rules of Evidence and *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923) (followed in *Grady v. Frito-Lay, Inc.*, 839 A.2d 1038 (Pa. 2003)), it is **DENIED**;
2. In all other respects, the motion is **DEFERRED** and shall be treated as a motion *in limine* to be addressed at the oral argument scheduled for July 9, 2025.

BY THE COURT:

ORDER-Nemeth Etal Vs Syngenta Crop Protection, Llc Etal (JNS)



21080064400542


_____ J.