City of Long Beach **Memorandum**
Working Together to Serve

Office of the City Attorney

DATE: May 21, 2025

TO: Honorable Mayor and Members of the City Council

FROM: Dawn A. McIntosh, City Attorney DAM

SUBJECT: City of Long Beach Concludes Class Action Litigation Against the Monsanto Company with a Total Award to the City Over the Past Three Years of Nearly $19 Million

For the last ten years, the City of Long Beach has been involved in litigation against Bayer AG's Monsanto Company and subsidiaries of Pfizer and Eastman Chemical ("Monsanto"). This month, the last funds from the settlement of this litigation were distributed, bringing this matter to a close. This memo will summarize the history of that litigation and the three awards the City of Long Beach received, culminating in a total award of $18,750,000.

In 2016, the City of Long Beach, along with other governmental entities in California and the Pacific Northwest, sued Monsanto. The City and other governmental entities argued that Monsanto's past manufacture and supply of polychlorinated biphenyls (PCBs) continue to cause negative impacts on ecosystems, subsequently contaminating the waterways and resulting in necessary costly treatments to remove the chemicals. PCBs were used in numerous products, such as paint and ink, hydraulic fluids, transformers, plastics and industrial equipment, until they were outlawed by Congress in 1979. Due to their persistence in the environment, PCBs continue to contaminate stormwater and, if they make it to the ocean, also contaminate coastal sediments. PCBs can cause a wide range of health issues.

The legal team for the City of Long Beach and City and Port staff worked hard to develop the case against Monsanto and fought against multiple efforts by Monsanto to have our case dismissed. Among the 13 entities who sued Monsanto, Long Beach was a leader and developed the strongest factual record supporting our claims, so our case was selected to be the first to go to trial. Right before trial was supposed to start, Monsanto expressed interest in settlement. After lengthy negotiations, the parties agreed that the plaintiffs would form a class of all similarly situated governmental entities nationwide and the parties would enter a class action settlement of all known and potential claims.

In early 2022, A California federal judge approved the $550 million class settlement in the Monsanto litigation. The settlement resolved allegations that the governmental entities in

the settlement class continue to face increased costs due to Monsanto's contamination with PCBs over the last several decades.

In 2023, the $550 million was divided among all settlement class members, which number over 2,500 across the entire nation, not just the 13 entities who brought forth the litigation. The City of Long Beach received $7.5 million, the maximum amount for a class member.

As noted above, the City of Long Beach was a leader in this effort, being one of the few governmental entities who had gathered years of data on local water quality issues and dedicated additional resources to do additional investigations, gather additional data and bring this litigation forward. As such, in December of 2023, the City was awarded an additional $9.15 million for its efforts in leading this groundbreaking case.

On May 12, 2025, the last fund created as part of this settlement was disbursed among only 39 eligible class members and the City of Long Beach received an additional $2.1 million to address impacts to the City's stormwater system from PCBs.

As a result, the City of Long Beach's total award from the Monsanto litigation was approximately $18,750,000. The City was represented by outside counsel Baron & Budd, P.C., Gomez Trial Attorneys and City Attorney Dawn McIntosh.

cc: Gary Anderson, Assistant City Attorney
Tom Modica, City Manager
April Walker, Assistant City Manager
Mario Cordero, Port of Long Beach Executive Director

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