

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION ONE

DEWAYNE JOHNSON,
Plaintiff and Respondent,

v.

MONSANTO COMPANY,
Defendant and Appellant.

A155940, A156706

(San Francisco County
Super. Ct. No. CGC16550128)

BY THE COURT:

These consolidated appeals have calendar priority following this court's December 27, 2018 order granting priority. The parties completed their appellate briefing in August 2019, amicus briefs were submitted thereafter, and a consolidated answer to the briefs was filed on September 30, 2019.

By letter filed on December 3, 2019, appellant Monsanto Company asks that the court not schedule oral argument in January or February 2020. Respondent Dewayne Lee Johnson opposes the request, noting that the case has priority.

The court has prioritized this appeal and agrees with Johnson that he has shown a compelling need to have it resolved as soon as possible. As the court stated in its order granting calendar priority, it will schedule oral argument as soon as practicable. But given the number and length of all the briefs to be considered, the outstanding motions that the court must rule on when considering the merits of the appeal, and the fact that this division's February oral argument is scheduled for early in the month, it is almost certain that the court would have been unable to schedule oral argument before March 2020 even absent Monsanto's request. The court will make every effort to schedule oral argument for March or April 2020.

Date: 12/06/2019

Humes, P. J. P.J.