



Monsanto v. Dennis, No. 26-139: California Roundup Verdict Sent Back for Another Look After Monsanto v. Durnell

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On October 13, 2026 the Supreme Court granted, vacated and remanded Monsanto Co. v. Dennis, a California Roundup failure-to-warn case, to the California Court of Appeal for reconsideration in light of Monsanto v. Durnell (2026).

On October 13, 2026, the Court granted Monsanto's petition in No. 26-139, vacated the judgment and remanded to the Court of Appeal of California, Fourth Appellate District, Division One, "for further consideration in light of Monsanto v. Durnell, 609 U. S. 371 (2026)" (Supreme Court Order List, Oct. 13, 2026, p. 1).

This paper uses only the Court's dockets, orders and the official filings and opinions named under Sources. Each fact is cited. Legal terms are explained in plain words at the bottom of the page.

Who the parties are

- Petitioner: Monsanto Company, which the petition describes as "an indirect, wholly owned subsidiary of Bayer AG" (Petition, Corporate Disclosure). It is represented by Paul D. Clement (docket No. 26-139).
- Respondent: Mike Dennis, the plaintiff, represented by Jeffrey Isaac Ehrlich (docket).

What happened in the lower courts

- The California Court of Appeal affirmed a judgment for Dennis on a state-law failure-to-warn claim on November 24, 2025 (No. D084130). The California Supreme Court denied review on March 11, 2026 (Petition,

Related Proceedings; docket No. 26-139).

The question the Court is deciding

"Whether, in light of Durnell, this Court should vacate the decision of the California Court of Appeal and remand this case for further proceedings not inconsistent with Durnell." (Petition, No. 26-139.)

Case timeline

- Nov. 24, 2025: California Court of Appeal affirms.
- Mar. 11, 2026: California Supreme Court denies review.
- June 25, 2026: Monsanto v. Durnell decided.
- July 24, 2026: Petition filed.
- Oct. 13, 2026: Granted, vacated and remanded.

What's at stake (in the official documents' own words)

- Monsanto's petition says Durnell held that federal pesticide law "expressly preempts" "state-law failure-to-warn claim[s]" over the lack of "a cancer warning on Roundup's label" when the EPA has declined to require one (Petition, Question Presented, quoting Durnell).

What happens next, and when

The California Court of Appeal will reconsider the case ([OL](#)).

What these terms mean

- GVR (grant, vacate and remand) (say it: *jee-vee-AR*). Means: In a single order, the Court takes the case, cancels the lower court's judgment and sends the case back so the lower court can decide it again in light of a newer Supreme Court decision. Origin and history: Lawyers use the shorthand in their filings. The Roofing Designs petition asked for "a GVR," and the opposing brief argued against a "grant-vacate-remand." *Source: Petition, No. 25-1367 (June 4, 2026); Brief in Opposition, No. 25-1367 (Sept. 8, 2026); Supreme Court Order List, Oct. 13, 2026.*
- Vacated and remanded (say it: *VAY-kay-tid and ree-MAN-did*). Means: "Vacated" means the lower court's judgment is canceled and no longer in force. "Remanded" means the case goes back to the lower court for further proceedings. Origin and history: A remand is the act of an appellate court sending a case back to a lower court for further proceedings. *Source: [uscourts.gov](#) Glossary, "Remand"; Supreme Court Order List, Oct. 13, 2026 ("The judgment is vacated, and the case is remanded").*
- Certiorari (writ of certiorari) (say it: *ser-shee-uh-RAIR-ee*). Means: An order from the Supreme Court telling a lower court to send up the records of a case the Justices have agreed to hear. Origin and history: The Certiorari Act of 1925 gave the Supreme Court the choice of whether to hear most appeals. Today it agrees to hear about 100 to 150 of the more than 7,000 cases it is asked to review each year. *Source: Meaning: [uscourts.gov](#) Glossary of Legal Terms, "Writ of certiorari." History: [uscourts.gov](#), "About the Supreme Court" (Administrative Office of the U.S. Courts).*
- Docket (say it: *DOK-it*). Means: The court's running log of a case, with a short dated entry for every filing and order. Origin and history: Each Supreme Court case gets a docket number, such as No. 25-1103. *Source: [uscourts.gov](#) Glossary of Legal Terms, "Docket."*

Each term card has a short audio clip of the term spoken by Ryan Standley. The clip players appear when the term-card display goes live.

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- [Howard v. Texas / In re Howard](/papers/scotus-case-jamaal-howard-texas-26-5759-26-5773-26-5754)
- [Roofing Designs v. Royal American](/papers/scotus-case-roofing-designs-v-royal-american-25-1367-gvr)
- [Silva Ochoa v. United States](/papers/scotus-case-silva-ochoa-v-united-states-25-7569-gvr)
- [Hobson v. United States](/papers/scotus-case-hobson-v-united-states-26-5216-gvr)
- [Order list, Oct. 13, 2026](/papers/scotus-order-list-oct-13-2026-three-cases-granted)
- [Chief Justice stays the Fourth Circuit in FCC v. Brown](/papers/scotus-chief-justice-stays-fourth-circuit-fcc-v-brown-26a476)
- [Arguments this week and the November calendar](/papers/scotus-arguments-oct-13-14-beaird-salazar-november-calendar)
- [Howard stay denials, Oct. 7](/papers/scotus-denies-stay-jamaal-howard-texas-oct-7)

Sources

- Supreme Court Order List, Oct. 13, 2026.
- Supreme Court docket No. 26-139.
- Petition, Monsanto Co. v. Dennis, No. 26-139 (July 24, 2026).

Notes

- Image: Supreme Court interior, Washington, D.C. (file photo). Photo: Carol M. Highsmith, Library of Congress (public domain).
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