EXHIBIT C

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF OKLAHOMA

3 MARIE KATHLEEN WEST,	)
4	)
5 PLAINTIFF,	)
	)
6 VS.	) CASE NO.
	)
	) CIV-03-1019-T
7 (1) KELLY HUNTER BURCH, in her individual	)
8 capacity;	)
(2) TOM GRUBER, in his	)
9 individual capacity;	)
(3) DREW EDMONDSON, in	)
10 his individual capacity;	)
and,	)
11 (4) THE STATE OF	)
OKLAHOMA, ex rel., THE	)
12 OFFICE OF THE ATTORNEY	)
GENERAL, a constitutional	)
13 state agency,	)
14	)
15 DEFENDANTS.	)

COPY

16 **********
17 VIDEOTAPED DEPOSITION OF MARIE KATHLEEN WEST
18 TAKEN ON OCTOBER 20, 2004
19 ON BEHALF OF THE DEFENDANTS
20 IN OKLAHOMA CITY, OKLAHOMA
21 **********
22
23
24 VIDEOGRAPHER: JON SPENCE, COURTROOM VIDEO
25 REPORTED BY: EMILY EAKLE, RPR, RMR

EXHIBIT C

1 A P P E A R A N C E S

2

3 MR. STANLEY M. WARD, Attorney at Law, of the firm Ward & Glass, 629 24th Avenue Southwest, Norman,
4 Oklahoma, 73069, appearing on behalf of the Plaintiff.
5
MR. MICHAEL HAYES FREEMAN, Attorney at Law,
6 of the Freeman Law Firm, 1701 South Carson Avenue, Tulsa, Oklahoma, 74119, appearing on behalf of the
7 Plaintiff.

8 MS. ELIZABETH R. SHARROCK, Assistant Attorney General, 4545 North Lincoln Boulevard, Suite 260,
9 Oklahoma City, Oklahoma, 73105-3498, appearing on behalf of Kelly Hunter Burch.
10
MR. MARK LAWTON JONES, Assistant Attorney
11 General, 4545 North Lincoln Boulevard, Suite 260, Oklahoma City, Oklahoma, 73105-3498, appearing on
12 behalf of Tom Gruber.

13 MR. CLYDE E. KIRK, Assistant Attorney General, 4545 North Lincoln Boulevard, Suite 260,
14 Oklahoma City, Oklahoma, 73105-3498, appearing on behalf of Drew Edmondson.
15
MS. SUSAN K. NOLAND, Assistant Attorney
16 General, 4545 North Lincoln Boulevard, Suite 260, Oklahoma City, Oklahoma, 73105-3498, appearing on
17 behalf of the State of Oklahoma.

18
ALSO PRESENT:
19 Ms. Kelly Hunter Burch
Mr. Tom Gruber
20 Mr. Trent Korken

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1 S T I P U L A T I O N S
2
3 It is hereby stipulated and agreed by and
4 between the parties hereto, through their respective
5 attorneys, that the deposition of Marie Kathleen West
6 may be taken on behalf of the Defendants on this the
7 20th day of October, 2004, in the City of Oklahoma
8 City, State of Oklahoma, before Emily Eakle,
9 Registered Merit Reporter within and for the State of
10 Oklahoma, pursuant to Notice.
11 It is further stipulated and agreed by and
12 between the parties hereto, through their respective
13 attorneys, that all objections except as to form of
14 the question and the responsiveness of the answer,
15 are reserved until the time of the trial, at which
16 time they may be made with the same force and effect
17 as if made at the time of the taking of this
18 deposition.
19
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that -- I'm going to ask her to answer that question, but she doesn't have to answer every question yes or no just because you may want her to.

Answer the question, that question, yes or no.

THE WITNESS: Would you repeat the question?

Q (By Ms. Sharrock) Yes. As a new lawyer with the attorney general's office, in general terms, and setting aside the whore and the park ranger, just in general terms only, would it be important for you to be informed of what's been going on in the agencies that you are about to undertake representation of?

A Yes.

Q Thank you. Please turn the page to Page 10 of your first amended complaint, allegation at Paragraph 55. What factual information do you have to support the allegation that the defendants in this case wanted to enhance their standing and reputation of Mr. Edmondson and not let agencies get any credit for resolution to the poultry issues? And I'm not asking for conclusions or suppositions, I'm asking for any facts that you have to support this allegation.

A The facts are that the two agencies were told, despite their efforts to resolve this issue, to

1 stay out of it. And Drew took this on, and it was
2 during the time he was running for re-election, was
3 in the media on numerous occasions, later to drop the
4 ball, but at this time he seemed to take this on as
5 something that he had interest in. He had told the
6 agencies to stay out of it, that it was his job and
7 he wanted to run it, regardless of what input they
8 might have or experience or expertise in that area.
9 Q Were you present when Mr. Edmondson
10 specifically told either the Conservation Commission
11 or the Scenic Rivers Commission to stay out of the
12 poultry negotiations?
13 A He admitted in his testimony a week ago that
14 he told them to stay out of it.
15 Q Were you present when Mr. Edmondson told
16 either the Scenic Rivers Commission or the
17 Conservation Commission to stay out of the poultry
18 negotiations?
19 A At the time that he told them?
20 Q Yes. Were you present?
21 A No.
22 Q Were you present when Mr. Edmondson allegedly
23 made a statement that he wanted these agencies out of
24 the negotiations regardless of their input or
25 expertise?

A I was told by Ed Fite and Mike Thralls, as well as Kelly Hunter Burch, that this had occurred.

Q But you were not present when that happened, correct?

A I was not at the meeting, no.

Q You made a comment earlier that something about later to drop the ball, what did you mean by that?

A At the time that these negotiations were going on and Drew was running for re-election, it seemed to be at the forefront of his interest in the sense that he was representing himself to care about this, and using, I guess this issue, to run for re-election, in the sense that he had the media there and he wasn't having to use his money to run for re-election, but the tax dollars of the citizens of the State of Oklahoma.

Q Do you have any firsthand knowledge that Mr. Edmondson called up the media and said, hey, come listen to me on any of these occasions?

A I was told, but I do not have firsthand knowledge, no.

Q Okay. In your experience, do you think the media is often present when Mr. Edmondson speaks publicly?

A Are you asking me to give you an opinion of whether or not the media is there when he speaks publicly; is that correct?

Q Yes.

A I don't know.

Q Who told you, if anybody told you, that there was some sort of arrangement to have the media present when Mr. Edmondson would speak out regarding poultry litigation issues?

A This was discussed on a Friday that I had worked at the AG's office, it was discussed around the office that this is how it's often done.

Q Who told you this?

A I do not recall. There were several of us in the room, I believe it was Stan, and I can't recall if Kelly was there or not, but there were several people and we were just discussing it that all of a sudden Drew had become interested in these poultry negotiations at the time he was running for re-election, although this has been going on for ten years.

Q Do you have any factual support or evidence that Mr. Edmondson was not interested in the poultry litter problem prior to the election time?

A Well, it wasn't in the media. And when the

1 two state agencies that have expertise in determining
2 the litter and the application of the litter, as well
3 as the scenic rivers in which that it's flowing into,
4 are trying to offer their advice and expertise, he
5 told them to stay out of it, which could lead one to
6 believe that he didn't want to resolve it, that it
7 was just about using it to run for re-election and --
8 Q Other than the conclusion that you arrived
9 at, do you have any evidence that Mr. Edmondson had
10 no interest in resolving the poultry litter problem
11 prior to election time?
12 A I think the evidence speaks for itself.
13 Q Do you have any of this evidence of which you
14 have spoken?
15 A Yes.
16 Q What is it?
17 A The facts that have been stated in the
18 complaint specified that Ms. Burch asked me to divide
19 and conquer the two state agencies, to set them
20 against each other so it wouldn't usurp her
21 authority, or Drew's. The fact that she asked me to
22 lie to them and set them up. I mean, these are all
23 issues that play into this whole issue of -- about
24 the time he was running for re-election and he was
25 basically -- I don't know if specifically he had told

1 Kelly to do this, I just know this is what she was
2 doing. So I made him become aware of it, and he
3 chose to do nothing about it.
4 Q When you made Mr. Edmondson aware of, of
5 this, what was his response?
6 A I received a letter.
7 Q What did it say?
8 A An anonymous letter, and then I received a
9 conclusion from Tom Gruber that said that my
10 allegations of harassment and that these conflicts
11 were in my mind and basically the allegations were
12 unfounded.
13 Q My question was, what was Mr. Edmondson's
14 response to you making him aware of this apparently
15 being a campaign issue?
16 A In my request for assistance I stated about
17 dividing and conquering the agencies, I did not
18 specifically state it was a campaign issue. His
19 response to my request for assistance was as I
20 stated, that he put Tom Gruber, who's one of the
21 people that I was complaining about as committing
22 unethical behavior, and he put him on the job of
23 investigating this.
24 Q If you would, please, look at the allegation
25 in Paragraph 56. My client advised you that you were