EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, et al.,)
)
Plaintiffs,)
)
vs.) Case No. 4:05-CV-00329-TCK-SAJ
)
TYSON FOODS, INC., et al.,)
)
Defendants.)

DEPOSITION OF SHANON PHILLIPS
TAKEN ON BEHALF OF THE DEFENDANTS
ON JANUARY 9, 2007, BEGINNING AT 2:14 P.M.
IN OKLAHOMA CITY, OKLAHOMA

APPEARANCES:

MR. ROBERT D. SINGLETARY, Attorney at Law, of the Office of Attorney General, 4545 N. Lincoln Boulevard, Suite 260, Oklahoma City, Oklahoma 73105, appearing on behalf of the PLAINTIFF.

MS. D. SHARON GENTRY, Attorney at Law, of the firm Riggs, Abney, Neal, Turpen, Orbison & Lewis, 5801 N. Broadway, Suite 101, Oklahoma City, Oklahoma 73118, appearing on behalf of the PLAINTIFF.

MS. NICOLE M. LONGWELL, Attorney at Law, of the McDaniel Law Firm, 320 South Boston, Suite 700, Tulsa, Oklahoma 74113, appearing on behalf of the DEFENDANT PETERSON FARMS, INC.

MS. THERESA NOBLE HILL, Attorney at Law, of the firm Rhodes, Hieronymus, Jones, Tucker & Gable, ONEOK Plaza, 100 W. 5th Street, Suite 400, Tulsa, Oklahoma 74103, appearing on behalf of the DEFENDANT CARGILL, INC. & CARGILL TURKEY PRODUCTION, LLC.

APPEARANCES CONTINUED ON NEXT PAGE

REPORTED BY: DANIEL LUKE EPPS, CSR, RPR

1 MS. LONGWELL: Exhibit 1.
2 THE WITNESS: Exhibit 1 to mine.
3 Q (BY MR. BOND) Exhibit 1 was -- was
4 Exhibit 1 present at that meeting?
5 A Yes.
6 Q Was it passed out to everyone at that
7 meeting or was it just used as a discussion piece?
8 A At the original meeting it was used as a
9 discussion piece.
10 Q Okay.
11 A Following that meeting, Ms. Lamb and
12 Mr. Butler sat down and reviewed each item, and
13 then we were all invited to come review it.
14 Subsequent to that, it was passed out to
15 everyone.
16 Q And when you say it was passed out, it's
17 what you have there as Exhibit 1?
18 A I'm sorry. Yes. As I said previously, the
19 first page looks somewhat different than the
20 document that we had, but all the following pages
21 are -- seem to be identical and all the requests
22 seem to be identical to what we had.
23 Q Okay. My clients have participated in
24 trying to seek discovery from the state in this
25 case and they've issued approximately 38

1 interrogatories and three requests for production.
2 Have you seen any document that says Tyson
3 Foods' interrogatories on it or Tyson Poultry
4 interrogatories on it or Tyson Chicken
5 interrogatories on it or Cobb-Vantress
6 interrogatories on it?
7 A Not to my knowledge.
8 Q Okay. Have you had any discussions
9 with your boss or anyone else that you work with
10 particularly related to searching for this large
11 amount of documents that are in this room where
12 Tyson's request for information in this case has
13 come up?
14 A Not to my knowledge. We have been
15 aware that there were other requests for
16 information, but it was our understanding that by
17 pulling the information that was inclusive of
18 everything in the Illinois River Watershed and
19 everything related to the Illinois River Watershed
20 and our Beaty Creek project, that we were
21 fulfilling those requirements.
22 Q Okay. But you haven't actually laid your
23 eyes on --
24 A No.
25 Q -- requests from my clients?

A No.

Q Okay. And when searching for documents within this agency, you don't know exactly what my client has asked for because you haven't seen it?

A No.

Q That's correct?

A That's correct.

Q Okay. Do you know if documents that are alleged to be responsive to my clients' discovery requests are being produced today?

A I don't know.

Q I'm going to look back at my notes real quick. Have you had any conversations with Miles Tolbert about responding to my clients' discovery requests?

A No.

Q Okay. I don't have any more questions.

DIRECT EXAMINATION

BY MS. HILL:

Q Ms. Phillips, my name is Theresa Hill, and if it works for the court reporter, I'll just ask you a few questions from here.

A Sure.

Q I represent Cargill, Inc., and Cargill