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

STATE OF OKLAHOMA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 05-CV-329-GKF-SAJ**
	)	
TYSON FOODS, INC., et al.,	)	
	)	
Defendants.	)	

STATE OF OKLAHOMA'S APRIL 20, 2007 SET OF REQUESTS TO ADMIT AND REQUEST FOR PRODUCTION TO GEORGE'S FARMS, INC.

Pursuant to Fed. R. Civ. P. 26, 34 and 36, plaintiff State of Oklahoma, ex rel. W.A. Drew Edmondson, in his capacity as Attorney General of the State of Oklahoma, and Oklahoma Secretary of the Environment, C. Miles Tolbert, in his capacity as the Trustee for Natural Resources for the State of Oklahoma under CERCLA ("the State"), requests that George's Farms, Inc. respond to the following requests to admit and request for production within 30 days of service.

Definitions

For purposes of this discovery, the following terms are intended to have the following meanings:

1. "Poultry waste" means poultry excrement, poultry carcasses, feed wastes and / or any other waste associated with the confinement of poultry from a poultry feeding or growing operation.

2. "Your poultry growing operations" means George's Farms, Inc.'s poultry growing operations and / or poultry growing operations under contract with George's Farms, Inc.

3. "Phosphorus" means phosphorus, phosphate and / or phosphorus compounds.

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4. "Pathogens" means microorganisms (*e.g.*, bacteria, viruses, or parasites) that can cause disease in humans, animals and plants including, but not limited to, total coliforms, fecal coliforms, fecal streptococci (including individual species), enterococci (including individual species), *Escherichia coli*, *Campylobacter jejuni*, *Salmonella* sp., *Brevibacterium* sp., *Staphylococcus aureus*, *Shigella* sp., *Cryptosporidium parvum*, and / or *Listeria monocytogenes*.

5. "Run-off" means any release by leaking, escaping, seeping, or leaching of poultry waste, directly or indirectly, into Waters of the State located within the Illinois River watershed.

6. "Waters of the State" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, storm sewers and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through or border upon Oklahoma or any portion thereof, and shall include under all circumstances the waters of the United States which are contained within the boundaries of, flow through or border upon Oklahoma or any portion thereof. Process wastewaters shall not be considered as Waters of the State if contaminated at the site.

7. "CERCLA" means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 et seq., as amended.

Requests to Admit

Request to Admit No. 1: Admit that poultry waste from one or more of your poultry growing operations has been spread on land located within the Illinois River Watershed.

Request to Admit No. 2: Admit that poultry waste from one or more of your poultry growing operations that has been spread on land located within the Illinois River Watershed contains one or more "hazardous substances" within the meaning of CERCLA.

Request to Admit No. 3: Admit that poultry waste from one or more of your poultry growing operations that has been spread on land located within the Illinois River Watershed contains pathogens.

Request to Admit No. 4: Admit that poultry waste from one or more of your poultry growing operations that has been spread on land located within the Illinois River Watershed contains phosphorus.

Request to Admit No. 5: Admit that poultry waste from one or more of your poultry growing operations that has been spread on land located within the Illinois River Watershed has run-off from the land upon which it has been applied.

Request to Admit No. 6: Admit that poultry waste from one or more of your poultry growing operations that has been spread on land located within the Oklahoma portion of the Illinois River Watershed has run-off from the land upon which it has been applied.

Request to Admit No. 7: Admit that one or more "hazardous substances" within the meaning of CERCLA contained in poultry waste from one or more of your poultry growing operations that has been spread on land located within the Illinois River Watershed has run-off from the land upon which it has been applied.

Request to Admit No. 8: Admit that pathogens contained in poultry waste from one or more of your poultry growing operations that has been spread on land located within the Illinois River Watershed has run-off from the land upon which it has been applied.

Request to Admit No. 9: Admit that phosphorus contained in poultry waste from one or more of your poultry growing operations that has been spread on land located within the Illinois River Watershed has run-off from the land upon which it has been applied.

Request to Admit No. 10: Admit that poultry waste contributes a greater amount of phosphorus to the portion of the Illinois River located in Oklahoma than waste water treatment plants, cattle manure, manure from wildlife, septic systems, commercial fertilizers and stream bank erosion combined.

Request to Admit No. 11: Admit that poultry waste contributes a greater amount of pathogens to the portion of the Illinois River located in Oklahoma than waste water treatment plants, cattle manure, manure from wildlife and septic systems combined.

Request to Admit No. 12: Admit that poultry waste contributes a greater amount of phosphorus to Lake Tenkiller than waste water treatment plants, cattle manure, manure from wildlife, septic systems, commercial fertilizers and stream bank erosion combined.

Request to Admit No. 13: Admit that one or more of your poultry growing operations located in the Oklahoma portion of the Illinois River Watershed is not in compliance with its animal waste management plan.

Request for Production

Request for Production No. 1: For each of the above Requests to Admit that you deny, please produce any and all documents in your possession, custody and control that support your denial (to the extent you have not already produced them to the State in this litigation).

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of April, 2007, the foregoing document was mailed to the following with postage prepaid:

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