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 RESPONSE TO SIMMONS FOODS, INC.'S JOINDER OF THE CARGILL DEFENDANTS' MOTION FOR LEAVE TO AMEND ANSWERS TO ADD COUNTERCLAIMS

Plaintiff, the 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 ("the State"), hereby submits this response in opposition to Simmons Foods, Inc.'s ("Simmons Foods") Joinder of the Cargill Defendants' Motion for Leave to Amend Answers to Add Counterclaims [DKT #1464]. Simmons Foods should be denied leave to amend for the reasons stated in the State's Response to the Cargill Defendants' Motion for Leave to Amend Answers to Add Counterclaims dated January 28, 2008 [DKT #1477], which the State expressly incorporates herein by reference. Simmons Foods should also be denied leave for the additional reason that it failed to include in its joinder papers a copy of its proposed amendments.

WHEREFORE, the State respectfully submits that Simmons Foods should be denied leave to amend its answer.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of January, 2008, I electronically transmitted the above and foregoing pleading to the Clerk of the Court using the ECF System for filing and a transmittal of a Notice of Electronic Filing to the following ECF registrants:

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