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April 18, 2008

VIA E-MAIL RNANCE@RIGGSABNEY.COM

Robert A. Nance
Riggs, Abney, Neal, Turpen, Orbison & Lewis
A Professional Corporation
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The Paragon Building Suite 101
5801 Broadway Extension
Oklahoma City, OK 73118-7489

Re: *State of Oklahoma, et al. v Tyson Foods, Inc., et al.*
Case No. 05-CV-00329-GKF-SAJ

Dear Robert:

I am writing in response to your letter dated April 17, 2008 regarding the 30(b)(6) notice issued to Plaintiffs. With regard to your questions, I am not sure what you mean by a "consolidated request" but all Defendants know that if they want to ask questions on the topics set forth in Attachment A they need to do so in this deposition. It is the intent of the Defendants for this to be the only 30(b)(6) deposition for the specific topics set forth in Attachment A to the notice. That being said, if Plaintiffs fail to produce a knowledgeable representative on any of the specific topics the Defendants will be entitled to depose another representative with regard to those topics. Additionally, in the event information or facts, previously unknown to Plaintiffs or Defendants become available which are covered by these topics after the deposition, the Defendants will be entitled to continue inquiry of a representative designated by Plaintiffs regarding the previously unknown information. The Defendants intend to issue additional 30(b)(6) notices in the future on other topics which will follow this same format.

As for scheduling, your letter provides that Plaintiffs are unable to provide deposition witnesses on April 24 because of work being done with regard to Plaintiffs' expert reports. Further, you provide that you will begin scheduling witnesses as soon as possible after May 15. Just to be clear the notice calls for the deposition to begin on April 28 and to continue from day to day until completed. We are willing to work with Plaintiffs on the scheduling of this deposition, but we are not willing to agree to begin deposing witnesses until after May 15. Plaintiffs have been aware of these topics for over three months and should be able to produce knowledgeable witnesses for deposition as well as complete expert reports at the same time.

EXHIBIT
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Defendants request you reconsider your position. If April 28 is not a workable date the Defendants are willing to reschedule but request Plaintiffs provide dates before May 15.

Sincerely,

Michael R. Bond

MB/bjw

cc: All Counsel of Record