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

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 TURSTEE
FOR NATURAL RESOURCES FOR
THE STATE OF OKLAHOMA,

Plaintiffs,

vs. 05-CV-0329 GKF-SAJ

TYSON FOODS, INC., TYSON
POULTRY, INC., TYSON CHICKEN,
INC., COBB-VANTRESS, INC.,
AVIAGEN, INC., CAL-MAINE FOODS,
INC., CAL-MAINE FARMS, INC.,
CARGILL, INC., CARGILL TURKEY
PRODUCTION, LLC, GEORGE'S, INC.,
GEORGE'S FARMS, INC., PETERSON
FARMS, INC., SIMMONS FOODS, INC.,
and WILLOW BROOK FOODS, INC.,

Defendants.

VIDEO DEPOSITION OF SHANON PHILLIPS
TAKEN ON BEHALF OF THE DEFENDANTS
JANUARY 17, 2008, BEGINNING AT 9:00 A.M.
IN OKLAHOMA CITY, OKLAHOMA

REPORTED BY: Laura L. Robertson, CSR, RPR

WHEREUPON,

SHANON PHILLIPS,

after having been first duly sworn, deposes and says in reply to the questions propounded as follows, to-wit:

DIRECT EXAMINATION

BY MR. JANTZEN:

**Q.** Good morning.

**A.** Morning.

(Discussion held off the record)

**A.** Good morning.

**Q.** Can you state your name, please?

**A.** Shanon Phillips.

**Q.** Okay. Shanon, my name is Stephen Jantzen, I represent the various Tyson entities in litigation that's been filed by the Oklahoma Attorney General against poultry integrators in the Illinois River Watershed. And I'm going to ask you a few questions today.

Have you ever given a deposition before?

**A.** Yes.

**Q.** Okay. In what matters have you --

MR. LENNINGTON: Can I interrupt you for a second? First of all, I don't know if she swore the witness. You did?

1 understand you're still under oath; correct?
2 **A.** Yes.
3 **Q.** Has the Oklahoma Conservation Commission
4 ever determined that there is an imminent and
5 substantial endangerment to public health and human
6 environment relating to waters of the Illinois River
7 Watershed?
8 MR. LENNINGTON: Object to the form.
9 THE WITNESS: No.
10 **Q.** (BY MR. JANTZEN) Would you agree that there
11 are locations in the Illinois River Watershed where
12 poultry litter is land applied and where it does not
13 contribute to water quality issues in waters in the
14 Illinois River Watershed?
15 **A.** I would agree that there may be the
16 potential for poultry litter to be land applied and
17 not contribute.
18 **Q.** Are you, as you sit here today, are you
19 aware of any poultry feeding operations in the
20 Illinois River Watershed that are in violation of
21 their Animal Waste Management plan?
22 **A.** I'm not aware of any, but that's not our
23 responsibility to monitor that.
24 **Q.** Are you aware of any locations in the
25 Illinois River Watershed where poultry litter is in