IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

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| STATE OF OKLAHOMA, ex rel, W.A. DREW EDMONDSON, in his capacity as ATTORNEY GENERAL OF THE STATE OF OKLAHOMA, et al. | ) | |
| Plaintiffs, | ) | |
| V. | ) | No. 05-CV-329-GKF-SAJ |
| TYSON FOODS, INC., et al., | ) | |
| Defendants. | ) | |

REPORTER'S TRANSCRIPT OF PROCEEDINGS

FEBRUARY 19, 2008

PRELIMINARY INJUNCTION HEARING

VOLUME I

BEFORE THE HONORABLE GREGORY K. FRIZZELL, Judge

APPEARANCES:

For the Plaintiffs: Mr. Drew Edmondson
Attorney General
Mr. Robert Nance
Mr. Daniel Lennington
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EXHIBIT
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Glen R. Dorrough
UNITED STATES COURT REPORTER

appropriate time to do our update of the daily copy? We'll take about a five to ten minute recess at this time.

(Recess.)

THE COURT: Mr. Bullock, you may call your next witness.

MR. BULLOCK: Dr. Christopher Teaf.

CHRISTOPHER M. TEAF

Called as a witness on behalf of the plaintiffs, being first duly sworn, testified as follows:

THE COURT: Doctor, if you would state your full name for the record, please.

THE WITNESS: My name is Christopher M. Teaf, T-E-A-F.

THE COURT: Thank you very much. You anticipated my next question. Mr. Bullock.

DIRECT EXAMINATION

BY MR. BULLOCK:

Q. By whom are you employed and in what capacity?

A. I'm the associate director of the Center for Biomedical and Toxicological Research at Florida State University in Tallahassee. I'm also the president and director of toxicology for hazardous substance and waste management research.

Q. Could you state please the highlights of your professional activities and responsibilities at Florida State?

A. At Florida State University I have administrative, teaching and research responsibilities. My administrative

1 repeatedly. And then finally on the right-hand side I've
2 listed the sources for this information.
3 Q. When we talk about the post contact latency, how does that
4 relate to our finding people that have been made sick by being
5 at the river?
6 A. It makes it much more difficult. And because of the
7 location of the Illinois River and its recognition as a
8 regional resource, I'm sure that you have people there on a
9 regular basis from Kansas and Missouri and Oklahoma and
10 Arkansas who go home when they're done. And it's very
11 difficult to capture that with the kind of passive reporting
12 systems that we have in place for reportable diseases at
13 present.
14 Q. Now, I notice that you included both Salmonella and
15 Campylobacter. In light of the fact that the sampling didn't
16 turn up much of that, do you regard that as a legitimate
17 inclusion in this chart?
18 A. I do.
19 Q. Why?
20 A. The literature is quite clear that both Campylobacter and
21 Salmonella are extraordinarily commonly associated with
22 poultry. And it's important to recognize that these have very
23 similar kinds of effects, similar range of severity, similar
24 types of infective dose, similar types of latency periods. So
25 all of these are, again, being measured by the indicator

1 for a period of time on the order of months but, again, its
2 significance to you is negligible.
3 Q. Okay. Let's go to 403, please. Now, first of all,
4 Doctor, in terms of this contamination that you testified to in
5 the river and waters of the Illinois River Watershed, do you
6 have an opinion as to the cause of that contamination?
7 A. Yes, my belief, as we'll talk about later, that there are
8 probably different places, perhaps contributions from other
9 sources, but the majority of the impacts are coming from
10 poultry. And there are a variety of reasons for that including
11 a number of those that are listed on this sheet.
12 Q. Let's go through those. What does the first -- the
13 technical literature, what are you talking about there?
14 A. Well, let me first say that last one tried to
15 inadvertently place too much value on any one of these
16 particular numbers. A scientist typically looks at things from
17 a weight of evidence standpoint or reliance of evidence
18 standpoint. Everything has importance, some have more
19 importance than others. But you get to the bottom line in your
20 conclusion by integrating several different lines of evidence.
21 The first here is that the available and historical technical
22 literature on characteristics of poultry waste, particularly
23 bacterial, demonstrate the presence of E. coli, Salmonella and
24 Campylobacter and the fecal indicator organisms in poultry
25 waste. That is -- the literature is clear on that.