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September 8, 2008

Michael Bond
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(Via email and FedEx)

Re: *State of Oklahoma v. Tyson et al.*, No. 05-CV-0329-GKF-SAJ

Dear Michael:

Pursuant to the Court's order of January 5, 2007 (Dkt. 1016), and without waiving our objections, we are today FedExing to you STOK-CD92, along with an index of the data being produced.

Included with this production is sampling that has been undertaken by the Oklahoma Scenic Rivers Commission (OSRC). As I have stated before, while the production of the OSRC data may be covered by other discovery from the Defendants, it is not subject to the Court's January 5, 2007 Order or the Court's Order which requires expedited production of the results of the analysis of data collected by the State's retained experts. These materials are being produced in this expedited fashion as an accommodation.

Also included is preliminary data from Aquatic Research. The production of this data is being expedited pursuant to the Defendants' request and the Court's Order (Dkt. 1710). It is important to understand that in order to expedite the production of this data, we have not been able to complete our internal QA/QC process this data. When that review is completed, we will supplement the production.

EML report 452431 was previously produced on STOK-CD91. It has now completed its internal review and the revised report is contained in this production.

Should you have any questions concerning this production, please do not hesitate to call.

Exhibit Q

Sincerely,

Louis W. Bullock

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SEP - 9 2008
Kutak Rock LLP

State of Oklahoma v. Tyson, et al.
Plaintiff's Document Production Index
For documents produced September 8, 2008

STOK 56763-56765	EML 452431 (revised) -- previously produced on STOK-CD91	STOK-CD92
STOK 56766-56767	Aquatic Research CDM002-93 -- preliminary	STOK-CD92
STOK 56768-56776	Oklahoma Scenic Rivers Commission (OSRC) Quality Assurance Laboratory Sample Analysis Report 2008082623 (604029-604037) Date of sampling: 08-25-08	STOK-CD92

09-08-08 Index of CD92