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June 18, 2009

Michael Bond **(Via email)**
Kutak Rock LLP
234 E Millsap Road Suite 400
Fayetteville, AR 72703-4099

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

Dear Mr. Bond:

You will find enclosed the latest data just received from USGS with an accompanying index. Since these samples are taken by USGS and analyzed by them, no preliminary reports were provided. I am producing this pursuant to the Court's Opinion and Order of January 5, 2007 (DKT. 1016) and the Opinion and Order of May 20, 2008 (DKT. 1710). As previously stated, in making this production, we are reserving all of our previously stated objections.

I have received your letter of May 21, 2009 objecting to our continuing to produce this data. As you are aware, we are under the Court's orders as cited above. These explicitly require us to produce this data and to do so in a timely manner. Those orders were not time limited and have not been modified or vacated. I do not read compliance with these orders to be optional. The State intends to continue to comply with the orders of the Court until and unless relieved of the same.

Should you have any questions concerning this or wish to discuss this matter further, please call me.

Sincerely,

Louis W. Bullock

Enclosures

Exhibit GG