

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) [AO]
) Docket No. 15-0071
)
Milk in California)
)
_____)

VOLUME XXXVI

TRANSCRIPT OF PROCEEDINGS

November 12, 2015

MYRA A. PISH, CSR No. 11613
398842



(310) 207-8000 Los Angeles
(310) 207-8000 Century City
(916) 922-5777 Sacramento
(951) 686-0606 Riverside
(212) 808-8500 New York City
(312) 379-5566 Chicago

(415) 433-5777 San Francisco
(408) 885-0550 San Jose
(800) 222-1231 Martinez
(818) 702-0202 Woodland Hills
(347) 821-4611 Brooklyn
00+1+800 222 1231 Paris

(949) 955-0400 Irvine
(760) 322-2240 Palm Springs
(702) 366-0500 Las Vegas
(702) 366-0500 Henderson
(518) 490-1910 Albany
00+1+800 222 1231 Dubai

(858) 455-5444 San Diego
(800) 222-1231 Carlsbad
(800) 222-1231 Monterey
(516) 277-9494 Garden City
(914) 510-9110 White Plains
001+1+800 222 1231 Hong Kong

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

_____)
In re:) [AO]
) Docket No. 15-0071
)
Milk in California)
_____)

BEFORE U.S. ADMINISTRATIVE LAW JUDGE
JILL S. CLIFTON

Thursday, November 12, 2015

9:01 a.m.

Piccadilly Inn Airport
5115 East McKinley Avenue
Clovis, California 93727

TRANSCRIPT OF PROCEEDINGS

VOLUME 36

Reported by:
Myra A. Pish CSR
Certificate No. 11613

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

U.S. DEPARTMENT OF AGRICULTURE: Office of the General Counsel
BY: BRIAN HILL, ESQ.
LAUREN BECKER, ESQ.

U.S. DEPARTMENT OF AGRICULTURE: WILLIAM RICHMOND, Dairy
Product Marketing Specialist
LAUREL MAY, Marketing Specialist

CALIFORNIA DAIRIES, INC., DAIRY FARMERS OF AMERICA, INC., LAND O'LAKES, INC.: Law Offices of Marvin Beshore
BY: MARVIN BESHORE, ESQ.
Hanson Bridgett, San Francisco
BY: MEGAN OLIVER THOMPSON, ESQ.

DAIRY INSTITUTE OF CALIFORNIA: Davis Wright Tremaine
BY: CHIP ENGLISH, ESQ.
ASHLEY VULIN, ESQ.

LEPRINO FOODS: SUE TAYLOR, Vice-President
Dairy Economics and Policy

CALIFORNIA PRODUCER HANDLERS ASSOCIATION: Stoel Rives
BY: NICOLE HANCOCK, ESQ.
VICTOR LAI, ESQ.
TIFFANIE de la RIVA, ESQ.

SELECT MILK PRODUCERS: MILTNER LAW FIRM, INC.
BY: KRISTINE REED, ESQ.
RYAN MILTNER, ESQ.

---o0o---

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X - V O L U M E 36
WITNESSES IN CHRONOLOGICAL ORDER

SUE TAYLOR:

CONTINUED DIRECT EXAMINATION BY MS. VULIN	7232
CROSS-EXAMINATION BY MR. BESHORE	7272
CROSS-EXAMINATION BY MR. SCHAD	7286
CROSS-EXAMINATION BY MR. SCHAEFER	7287
CROSS-EXAMINATION BY MR. BESHORE	7297

FRANK OTIS and
DENNIS LUND:

DIRECT EXAMINATION BY MS. HANCOCK	7301
CROSS-EXAMINATION BY MR. ENGLISH	7312
CROSS-EXAMINATION BY MR. BESHORE	7318
CROSS-EXAMINATION BY MR. RICHMOND	7323
REDIRECT EXAMINATION BY MS. HANCOCK	7329

J. EVERETT WILLIAMS:

DIRECT EXAMINATION BY MR. SMITH	7337
CROSS-EXAMINATION BY MS. HANCOCK	7349
CROSS-EXAMINATION BY MR. BESHORE	7351

RICHARD SPARROW:

DIRECT EXAMINATION BY MR. SMITH	7360
CROSS-EXAMINATION BY MR. BESHORE	7383
CROSS-EXAMINATION BY MR. RICHMOND	7383
CROSS-EXAMINATION BY MR. BESHORE	7385

GINO TOSI:

DIRECT EXAMINATION BY MS. HANCOCK	7390
CROSS-EXAMINATION BY MR. ENGLISH	7412
CROSS-EXAMINATION BY MR. BESHORE	7419
CROSS-EXAMINATION BY MR. RICHMOND	7428
CROSS-EXAMINATION BY MR. ENGLISH	7430

---o0o---

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X - V O L U M E 36

INDEX OF EXHIBITS

NO.	DESCRIPTION	I.D.	EVD.
160	TESTIMONY OF SUE TAYLOR PART 3		7266
161	ATTACHMENT B		7267
162	THE NEW CALIFORNIA DISCOUNT CHART-WITH BLANKS	7273	
163	ADVANCED PRICES AND PRICING FACTORS ANNOUNCEMENT	7283	7299
164	RECONCILIATION OF PROPOSAL 2	7290	7298
165	TESTIMONY OF FRANK OTIS	7300	7311
166	TESTIMONY OF EVERETT WILLIAMS	7337	7348
167	TESTIMONY OF RICHARD SPARROW	7359	7381
168	TESTIMONY OF GINO TOSI	7389	7412
169	GRIEVANCE BOARD DOCUMENT	7436	
170	HEARING TRANSCRIPT AUGUST 16, 2004	7436	

---o0o---

7220

1 THURSDAY, NOVEMBER 12, 2015 - - MORNING SESSION

2 JUDGE CLIFTON: We are back on record on November 12, 2015.
3 It is a Thursday. It is approximately 9:01 in the morning.
4 This is Day 36 of the milk hearing and we are in Fresno,
5 California.

6 My name is Jill Clifton. I'm the United States
7 Administrative Law Judge who is tasked with taking in the
8 evidence at this rule making hearing. I work for the United
9 States Department of Agriculture. I would like to take
10 appearances of other participants, beginning first with my
11 fellow employees from the United States Department of
12 Agriculture, and then continuing on with teams of proponents
13 and opponents, and then other participants, including some that
14 we welcome back today, and some that we see for the first time
15 today.

16 If you expect to testify today, I would like you to be
17 part of the line up who come forward and make your appearance.

18 MR. CARMAN: Good morning, your Honor, Clifford Carman,
19 C-A-R-M-A-N, Assistant to the Deputy Administrator Dairy
20 Programs Agriculture Marketing Service USDA -- it is with an S.

21 MR. RICHMOND: Good morning, I'm William Richmond,
22 R-I-C-H-M-O-N-D, with USDA Agricultural Marketing Service and
23 Dairy Programs in the Order Formulation and Enforcement
24 Division in Washington, DC, good morning.

25 MR. SCHAEFER: Henry Schaefer, H-E-N-R-Y, S-C-H-A-E-F-E-R,

1 Agricultural Economist for the Upper Midwest Milk Marketing
2 Order Federal Order 30 on detail with the USDA Dairy Programs.

3 MS. BECKER: Good morning, Lauren Becker with USDA Office
4 of the General Counsel.

5 MS. MAY: Good morning, Laurel May with USDA, AMS Dairy
6 Program, I'm a Rule Writer with the Order Formulation and
7 Enforcement Division.

8 MR. HILL: And I'm Brian Hill with the Office of the
9 General Counsel, Marketing Regulatory and Food Safety Programs
10 Division.

11 MR. BESHORE: Good morning, Marvin Beshore, M-A-R-V-I-N,
12 B-E-S-H-O-R-E, Attorney for the Proponents of Proposal
13 Number 1, California Dairies, Inc., also referred to as CDI;
14 Dairy Farmers of America, Inc., also referred to as DFA; and
15 Land O'Lakes, Inc., also referred to as LOL.

16 MS. OLIVER THOMPSON: Good morning, Megan Oliver Thompson,
17 Megan is M-E-G-A-N, I'm an Attorney with the law firm Hanson
18 Bridgett in San Francisco, that's H-A-N-S-O-N, B-R-I-D-G-E-T-T,
19 and I'm also Counsel for the Proponents of Proposal Number 1.

20 MR. SCHAD: Good morning, I'm Dennis Schad, S-C-H-A-D, I
21 work for Land O'Lakes.

22 MR. JABLONSKI: Gary Jablonski, G-A-R-Y, J-A-B-L-O-N-S-K-I,
23 Consultant with the Cooperatives of Proposal Number 1.

24 MR. ERBA: Good morning, Eric Erba, E-R-I-C, E-R-B-A, I
25 work for California Dairies, Inc.

1 MR. ENGLISH: Good morning, your Honor, Proposal 2.
2 Chip English, E-N-G-L-I-S-H, I'm with the law firm of Davis,
3 Wright, Tremaine, with my principal office in Washington, DC.
4 I am here on behalf of the Dairy Institute of California, and
5 they are Proponents of Proposal 2. And I want to note in
6 advance of one of our people today that I'm a proud resident of
7 the State of Maine.

8 MS. VULIN: Good morning, Ashley Vulin, I'm also a
9 representative of the Dairy Institute of California.

10 MR. SCHIEK: William Schiek, S-C-H-I-E-K, Economist with
11 the Dairy Institute of California.

12 MS. TAYLOR: Good morning, Sue Taylor with Leprino Foods.

13 MR. OTIS: Good morning, Frank Otis with Foster Dairy
14 Farms, Crystal Creamery, that's O-T-I-S.

15 MS. HANCOCK: Nicole Hancock, Stoel Rives, representing the
16 California Producer Handlers Association and Ponderosa Dairy.

17 MR. LUND: Dennis Lund, L-U-N-D, Director of Cost
18 Accounting for Foster Dairy Farms, Crystal Creamery.

19 MS. de la RIVA: Good morning, Tiffanie de la Riva with the
20 firm Stoel Rives, here for California Producer Handlers
21 Association and Ponderosa Dairy.

22 MR. LAI: Good morning, Victor Lai, L-A-I, with Producers
23 Dairy Foods.

24 MS. REED: Good morning, Kristine Reed with the Miltner law
25 firm on behalf of Select Milk Producers.

1 MR. MILTNER: Good morning, Ryan Miltner, Miltner law firm
2 on behalf of Select Milk.

3 MR. VANDENHEUVEL: Good morning, Rob Vandenheuvel,
4 V-A-N-D-E-N-H-E-U-V-E-L, here with Milk Producers Council.

5 MR. SMITH: Good morning, Daniel Smith, D-A-N-I-E-L,
6 S-M-I-T-H, from Montpelier, Vermont, representing the Kentucky
7 Dairy Development Council, the Georgia Milk Producers,
8 Incorporated, and the Tennessee Dairy Producers Association.

9 MR. WILLIAMS: Everett Williams, Georgia Milk Producers and
10 Dairymen. E-V-E-R-E-T-T, and then Williams.

11 MR. SPARROW: Richard Sparrow, I'm a dairy farmer from
12 Kentucky.

13 MR. TOSI: Good morning, your Honor, my name is Gino Tosi.
14 G -- like George -- I-N-O, last name Tosi, T -- like Tom --
15 O-S-I, I'll be testifying today on behalf of the California
16 Producer Handlers Association and Ponderosa Dairy. Thank you.

17 JUDGE CLIFTON: Mr. Tosi, it is remarkable that yesterday
18 when I asked the Veterans to stand, our witness and you were
19 the only Veterans in the room. I'm amazed at that. There are
20 lots of us here. Thank you for your service.

21 MR. TOSI: Thank you.

22 JUDGE CLIFTON: Is there anyone else who has not yet
23 approached the podium who would like to do so at this time?

24 I would like now to go to preliminary matters and
25 announcements. I notice that Laurel May is double tasking

1 today. She is now taking exhibits and corrections to exhibits,
2 and so on, coordinating with witnesses and all other duties.

3 MS. MAY: We have a saying at AMS, it is "all other duties
4 as assigned" at the end of your position description, and
5 that's what I'm doing today.

6 Welcome to the hearing. Glad to see all of you here
7 this morning. Looking forward to hearing from some producers
8 and other people today.

9 If you would like to testify in this hearing, you
10 simply need to let us know that you would like to do so and we
11 can get you into the line up. If you would like to ask
12 questions of any of the witnesses, you may do so by raising
13 your hand or approaching the podium and having the Judge
14 acknowledge you.

15 As always, we are broadcasting this session of the
16 hearing via live audio feed, which is available online at
17 www.ams.usda.gov/live.

18 The court reporter is taking official transcripts of
19 this hearing and they are available on our AMS Dairy website
20 approximately two weeks after the end of each hearing week.
21 And there are copies of some of the past exhibits back in the
22 corner where Mr. Tosi is looking at the file boxes. You are
23 welcome to help yourself to any of those, if you would like
24 them. And we do have other copies of some of the earlier ones
25 back in the hotel, so if there any that you don't see there let

1 me know and we might be able to come up with some others.

2 My recollection, which is getting shorter and shorter,
3 is that yesterday Sue Taylor was on the stand, and I believe
4 today we are going to continue with her testimony and direct,
5 or cross-examination, and then we have a couple of producers
6 who introduced themselves this morning who would like to
7 testify. So I will turn it over to Chip.

8 JUDGE CLIFTON: Mr. English, I know Ms. Vulin is examining
9 Ms. Taylor, but I'm calling on you with regard to the
10 preliminary matters, such as scheduling.

11 MR. ENGLISH: Thank you, your Honor, and I think we'll have
12 a number of people coming up. But we have, and I think pretty
13 much remarkably for this proceeding, had a lot of discussions
14 among counsel to try to work things through, and so my part of
15 this is to say that, yes, we would like to have Ms. Taylor get
16 on the stand and finish her direct and her cross so that she
17 can return, delayed, to her meetings. And then I think turn it
18 over to others talk about what's going to happen next. I will
19 say that after Ms. Taylor, we have a couple of housekeeping
20 matters and they are basically two statements of party
21 witnesses, the party parties, just to put in the record, under
22 801(d)(2), and that will finish our case-in-chief. And then we
23 do understand that at some point in the near future, near to be
24 defined, Dr. Schiek will return to respond to your questions
25 from Tuesday.

1 But otherwise we are going to be done. And I will say
2 that as of this moment, subject to not knowing everything
3 that's going to happen, we do not have any rebuttal. So we do
4 not presently anticipate rebuttal as we think about scheduling.

5 And then I'll say one more thing, hopefully I will have
6 more information by this afternoon. Right now we have not
7 heard anything from the Federal District Court located about
8 five miles from here, and so at the moment, that hearing is
9 still scheduled for 1:30 Monday afternoon. So we obviously are
10 hoping to hear, and I, you know, if you hear a shout of joy
11 some time today, you will know what that is about.

12 JUDGE CLIFTON: Didn't you say though, Mr. English, that
13 typically you find out on the Friday before the hearing?

14 MR. ENGLISH: Well, I think it maybe 48 -- but you may be
15 right, we could hear as late as tomorrow. What I'm saying is
16 the second I know, you know, the only thing we'll know is if we
17 get good news, which is the view of not having a hearing so it
18 doesn't cause whatever issues. So anyway, that's where we are,
19 and I assure you that, that we're -- I won't interrupt a
20 witness, well, maybe not, but, you know, everybody will know as
21 soon as I know.

22 JUDGE CLIFTON: Thank you. I do appreciate that. In any
23 event, whether your hearing requires you to be elsewhere, we
24 will start Monday morning, because you will be able to join us
25 for that.

1 MR. ENGLISH: Yes.

2 JUDGE CLIFTON: And then I will not keep going without you
3 so, if you have to be gone we'll not be in hearing here during
4 that time, but it could be a short time that you are gone so --

5 MR. ENGLISH: And we're still looking at some options to
6 try to help out because we want to keep going.

7 MR. ENGLISH: I assure everybody in this room that I think,
8 like everybody in this room, I have every single motivation in
9 the world to be done on or preferably before next Friday.

10 MS. HANCOCK: Nicole Hancock. I was going to offer our
11 line up that will follow when Mr. English is done with his
12 case-in-chief. We have Frank Otis and Dennis Lund from Foster
13 Farms Dairy and Crystal Creamery to testify. They do have to
14 leave by 3:20 so we're hoping that, hoping we can make that.
15 If we get into a time crunch, we're willing to buy some pizzas
16 and blaze on through lunch, if that's what it takes, but we
17 need to get him out of here. I think his testimony is
18 valuable, so I would really like to be able to put it on if I
19 can.

20 When that's done, if there's more cleanup witnesses,
21 that might happen then. Some other witnesses that I think we
22 might hear from, we also have Gino Tosi, who is available and
23 he'll put on testimony for Federal Order language for Producer
24 Handlers Association, and then separately for Ponderosa Dairy,
25 and then that is all of the witnesses that we have available

1 today. We have one more producer-handler that will testify
2 tomorrow for both Producer Handlers Association and then
3 separately for Ponderosa Dairy.

4 MR. SMITH: Your Honor, Dan Smith. The two dairy farmers
5 from the Southeast who introduced themselves, Mr. Williams and
6 Mr. Sparrow, are here for, throughout today, and they can serve
7 at whatever works best for your scheduling. So they are
8 available for the day.

9 JUDGE CLIFTON: Mr. Smith, there was a dairy farmer here
10 from Tennessee earlier this week, we didn't get him on. He was
11 a little ambivalent about whether he wanted to interrupt in
12 order to testify. He was very respectful. And I'm -- I didn't
13 catch his name, but I'm, I would imagine that he's part of your
14 group, and I'm sorry that that we didn't hear from him.

15 MR. SMITH: Well, you and I both imagine that. I heard if
16 he was here last night in the second connection I took, I think
17 that's what it was, and he was, but apparently he was gone
18 before I got here, so I will extend your expression of courtesy
19 to him through the network.

20 JUDGE CLIFTON: Thank you.

21 MR. BESHORE: Marvin Beshore. If I might, just some
22 information for everyone with respect to our rebuttal. We're
23 prepared to move forward tomorrow with rebuttal, assuming, you
24 know, that things will have evolved to the point where we can
25 start our rebuttal. We do have a dairy farmer, two dairy

1 farmers, Mr. Hollon is indicating to me, who we expect to be,
2 who plan to be here tomorrow, you know, to testify. And
3 looking just out towards next week, our rebuttal has nine or
4 ten pieces to it. At this point, as we see it, some of them
5 are very brief.

6 But one scheduling issue I'll just flag now, Mr. Hollon
7 cannot be here from midday Monday through Tuesday, I think
8 we'll be able to work other pieces around that, but he has a
9 number of those parts, has responsibility for a number of those
10 parts of our rebuttal case.

11 JUDGE CLIFTON: So he would be back Wednesday morning?

12 MR. BESHORE: Yeah, late Tuesday. Available Wednesday
13 morning, yes.

14 JUDGE CLIFTON: Who else has preliminary matters, whether
15 they are scheduling or any other concerns? I see none.

16 I would like to add what I'm thinking about now. I'm
17 thinking about briefing. And typically, what we do is we wait
18 until the transcript corrections have been proposed and ruled
19 on, and then we have briefs. In this case, I will permit not
20 only the opening briefs, but also reply briefs. This is too
21 complicated and too important to have you see in a brief by
22 someone else, an argument that you need to address, and that
23 you need to alert the Department to other things they should
24 consider. So we'll have to have two rounds of briefs.

25 Now, that does not require anyone who submits an

1 opening brief to also submit a reply, it is an opportunity, not
2 a requirement. Anyone is welcome to submit a brief. You don't
3 have to have been an attorney representing a proponent. But
4 everyone who chooses to submit a brief should understand that
5 if you will put yourself in the shoes of the US Department of
6 Agriculture, and take into account what they need to consider,
7 it will be very helpful.

8 The United States Secretary of Agriculture is a very
9 hands-on, very knowledgeable leader, who will be very involved
10 in this. There are legal constraints, even on a Secretary of
11 Agriculture. Those may be the most difficult parts of dealing
12 with all of the information. So we need your wisdom, we need
13 your collective wisdom, even though you come from different
14 points of view. I think if you respond to one another's, and
15 I'm going to call them reply briefs, ideas, it will be very
16 valuable to the people who have to work with these very
17 difficult issues.

18 All right. That's all I have. Are there any other
19 preliminary matters? None. Let us continue then with Sue
20 Taylor's testimony.

21 Let's see, for those who weren't here yesterday and do
22 not have a copy of Exhibit 161 and 160, are there any other
23 copies available?

24 MS. VULIN: Yes, your Honor. We have maybe five of each.

25 JUDGE CLIFTON: Please raise your hand if you would like a

1 copy of the exhibits that Ms. Taylor is testifying about. She
2 began this yesterday. There are two exhibits and I'll invite
3 you to mark them with the numbers we have placed on them, if
4 you would like. The document entitled Testimony of Sue Taylor,
5 Part 3, is Exhibit 160, and Exhibit 161 is the Attachment B, as
6 in boy, to that testimony, but it has its own exhibit number,
7 161.

8 Ms. Vulin, if you will identify yourself again, and
9 then you may proceed. Ms. Taylor, you remain sworn. I would
10 like you to state and spell your name one more time for us.

11 MS. TAYLOR: Thank you. It's Sue, S-U-E, Taylor,
12 T-A-Y-L-O-R.

13 MS. VULIN: And I'm Ashley Vulin for the Dairy Institute of
14 California.

15 CONTINUED DIRECT EXAMINATION

16 BY MS. VULIN:

17 Q. Ms. Taylor, yesterday you read your written statement
18 Exhibit 160 into the record, correct?

19 A. Yes.

20 Q. And so today I would like us to turn to Attachment B,
21 which are the set of tables that you created. I would ask that
22 everybody please turn to Table 1 of Attachment B, which is
23 Page 1 of the entire table packet.

24 Now, Ms. Taylor, can you give us, first off, just kind
25 of an overview of the content of this table, Table 1?

1 A. Certainly. To orient everybody broadly to the tables,
2 I selected a period starting January 2005 and going through
3 December 2014, so a ten-year period. And for each table I
4 attempted to analyze the price outcomes by applying the
5 regulated price surface, regulated price formulas in Proposal 2
6 to the commodity prices that existed through that period. And
7 there is a comparison with the existing Federal Order prices
8 and also with the existing CDFA prices relative to the formulas
9 in use, the permanent formulas in use at this point in time.

10 Table 1 specifically provides you with a commodity
11 price inputs that were used in those calculations. So for
12 Table 1, the left block is the set of commodity price inputs
13 used for the Dairy Institute proposal, which those who have
14 been here will recall, first of all, asked for USDA to use a
15 western survey price to drive the commodity prices, but in the
16 event that a survey cannot be conducted without violating
17 confidentiality concerns, asks the Department to use certain
18 default values that were calculated and submitted by Dr. Schiek
19 based upon data of prices received and California, versus the
20 NDPSR numbers predominantly. So in Table 1, well, I'll orient
21 you as well. Immediately after the column headings, below the
22 column headings, I have a row that I have titled column
23 designation. And I put into that row, letters so that we can
24 refer to the specific columns, and below that is column math.
25 So for those columns where I have done math based on other

1 columns, I have attempted to -- to document what that
2 relationship is.

3 Q. Thank you, Ms. Taylor. And I just wanted to point out,
4 those headings are particularly helpful because this table
5 spans multiple pages, both vertically and horizontally, so you
6 will see that whereas page 3, the furthest column to the right
7 is Column M, as in mother, you pick up on page 4 at Column N,
8 as in Nancy, but you also continue down onto the next page
9 within Column N, so that kind of helps orient those who are
10 looking at the table to make sure they can visualize the table
11 in its entirety.

12 A. Thank you. That was helpful. And if you look at, for
13 example, page 3, you will see that at the bottom of each table,
14 it's a pages 1 through 3, essentially would be the same set of
15 columns but progressing through the months from 2005 through
16 2014, and at the bottom I have shown annual averages, and a
17 ten-year average, and that should carry through with each table
18 that we look at. Going back to specifics around Columns A
19 through E, which are the price inputs for the analysis on the
20 class price outcomes for the Proposal 2, those products which
21 have comparable NDPSR surveys that already exist, are
22 calculated using the default values relative to the NDPSR
23 prices that were previously published by USDA. So in the case
24 of western butter, western nonfat dry milk, and western dry
25 whey, those were calculated directly from the NDPSR prices

1 released by AMS at the time that class prices are announced.

2 Q. And those are Columns F through I?

3 A. Yes. Now, in the case of Column C, western cheddar 40
4 pound blocks, those prices were calculated with the exception
5 of the government shutdown, during which the specific block
6 data was not released, but otherwise those, Column C would be
7 calculated relative to the monthly average block price that fed
8 into the NDPSR cheese price. So again, the NDPSR cheese price
9 would be over in Column H, but because those are comprised of
10 both blocks and barrels, we had to tease out the block part of
11 that, and the Column C would be a calculation relative to the
12 block only piece of Column H.

13 In the case of Column E, the western whey protein
14 concentrate 34 price, that was calculated using the weekly data
15 from Dairy Market News and it was calculated based on the
16 average of the mostly's for a Central Western WPC 34, and that
17 was again, for the same periods that were associated, or I are
18 defined in the Dairy Institute proposal for each month.

19 Columns F through I, once again, are the published
20 prices from USDA for the commodities used in the calculation of
21 class prices. And Columns J through M similarly are the
22 published prices, but from the State of California, CDFA, that
23 were used to drive their milk price formulas. One thing I'll
24 point out is that there was a period when CDFA did not use the
25 western dry whey series, they had a flat 25 cent factor in 4b

1 price formula, but they did include their calculation in their
2 exhibit in this hearing, so I used that data.

3 Q. Thank you, Ms. Taylor. So now if we could turn to
4 Page 4, which picks up at Table N or excuse me, Column N as in
5 Nancy, can you explain how these calculate in the data that you
6 provided in Columns A through N?

7 A. Certainly. So pages 4 through 6 represent the
8 difference in the commodity price used in our analysis of the
9 Dairy Institute proposal versus those prices that were used in
10 the Federal Order calculations and those prices that were used
11 in the California State Order calculation. So you can clearly
12 see in Columns N, O, and Q, that price discount that was used
13 in, or was proposed in Dr. Schiek's testimony to get the NDPSR
14 price series to a western equivalent. These are the default
15 values that are in the formula. The 2.18 cent discount on
16 butter, the 2.44 cent discount on nonfat dry milk, and the .63
17 cent discount on dry whey.

18 In the case of Column P, you will see that there's much
19 more variability in the calculation, but that, again, as I
20 described in pages 1 through 3, is driven by the fact that the
21 Dairy Institute proposal is based on cheddar blocks, and the
22 existing cheese price in Class III formulas is a combination of
23 blocks and barrels.

24 The same analysis is done then again, for the
25 California State Order commodity prices over time, and that's

1 columns R through U.

2 JUDGE CLIFTON: So, you know, Ms. Taylor, how B sounds like
3 P sounds like -- I believe you were calling our attention when
4 you pointed out the greater disparity, Column P like Paul?

5 MS. TAYLOR: That's correct.

6 JUDGE CLIFTON: Okay.

7 MS. VULIN: Thank you, your Honor.

8 BY MS. VULIN:

9 Q. So Ms. Taylor, let's take January 5th, which begins on
10 page 1, and I'll just have you kind of read across the line
11 throughout each of the pricing columns to explain what that
12 number is and what it means, so we can just kind of use that as
13 an example to understand the table as a whole.

14 A. Certainly. And just to clarify, that would be
15 January of 2005, and Column N, as in Nancy, would be calculated
16 by taking, from page 1, the first row Column A, and reducing it
17 by Column F, so that would be the western butter series that's
18 going to drive the analysis of the Proposal 2 outcomes, minus
19 the, at that time, NASS butter price used in the Federal Order
20 system.

21 Column O, nonfat dry milk, will refer back to the
22 western nonfat dry milk price found in Column B on page 1, top
23 row, reduced by the Column G on page 1, first row, the NASS
24 nonfat dry milk price.

25 Column P would be the western cheddar price found in

1 Column C on the first page, reduced by Column H on the first
2 page, first row, the AMS cheese price, the block barrel
3 combination.

4 And in Column Q it would be the western dry whey price
5 found in Column D in the first table, reduced by the NASS dry
6 whey price in Column I on page 1, first row.

7 We go through that same process again on the California
8 State Order commodity prices, so Column R is going back to the
9 first page, Column A minus Column J. Column S is Column B
10 minus Column K.

11 In the case of the California State Order commodity
12 prices, nonfat dry milk is based on a survey, it's the
13 California weighted average price, and if you will recall, we
14 had some, we're essentially locking down some relationship in
15 the Dairy Institute proposal, so you end up with some
16 variability there as well as on the, again, the cheddar block.
17 In the dry whey, Column T is C minus L from the first page.

18 Q. Column T as in Tom?

19 A. Yes. And Column U is D, as in dog, minus Column M from
20 the first page.

21 Q. And neither the NASS pricing nor the California State
22 Order commodity pricing provided a value for WPC, correct?

23 A. Correct. So I don't have those comparisons in this
24 table. I just provide simply what our price assumption was in
25 the first table.

1 Q. Thank you. And now turning to page 6, after the
2 calculations between the two comparisons at the very end, which
3 you had pointed out earlier, but I wanted to highlight again
4 now that we have gone through the calculations, you have the
5 yearly average for each of those calculations as well as the
6 ten-year average.

7 A. Yes. And as you look through those individual years
8 and the ten-year average, you will see that it's obvious that
9 again we have hinged consistently to the NDPSR national survey
10 for butter, nonfat dry milk, and dry whey. The cheddar cheese
11 variability is related to the fact that we're using cheddar
12 block instead of blocks and barrels. And when it comes to the
13 State Order comparison, you will see a larger spread on average
14 from the State Order price series on butter and cheddar,
15 whereas nonfat dry milk are both within a penny of that
16 ten-year history, and that larger variability in the pricing, I
17 believe, is related to the different timeframes that we used to
18 establish those discounts.

19 Q. Because of all the changes in the market that happened
20 between 2005 and 2014?

21 A. Yes.

22 JUDGE CLIFTON: Ms. Taylor, how do I see that there's a
23 greater difference? What do I look at to see that?

24 MS. TAYLOR: I was looking at the ten-year average, so it's
25 the lowest line on that table. And over in the right hand

1 portion of the table, where we're comparing with the Dairy
2 Institute proposal with the California State Order commodity
3 prices -- well, I guess there are a few things that are
4 happening in this. One, these are commodity prices before the
5 discount factor that's embedded in the California class price
6 formulas. And so there's that piece that is not represented
7 here. These prices would be in the case of butter and cheddar,
8 the CME price averages from the 26th of the prior month to the
9 25th of the current month. And then the California formulas
10 apply a discount, it's referred to as the FOB factor, in the
11 formula outside of this part of the calculation.

12 But what I was referring to is that 4.07 cent discount
13 on butter and the 2.09 discount on cheddar. And as I think
14 more about it, part of the reason why those are the greater
15 discount in this part of the calculation, or the analysis, then
16 the other two factors is, the other two factors are based on
17 real time surveys, and the butter and cheddar are based on the
18 CME price and then the discount is, the FOB discount is applied
19 separately in the formula.

20 BY MS. VULIN:

21 Q. Thank you, Ms. Taylor. Is there anything else you want
22 to tell us about Table 1?

23 A. No, I think that that covers largely Table 1. And it
24 also largely covers Table 2, because Table 2, if I can have
25 people turn to that, is in the same format, same logic, but

1 covers the advanced pricing factors. So those factors used for
2 the calculation of anything that has an advanced price
3 announcement, so it would be a portion of all of Class I and a
4 portion of Class II prices.

5 Now, once again, we have some price series that are
6 hinged off of published prices by AMS that have been published
7 over the years, and some where a calculation had to be made to
8 fit that particular timeframe. And specifically those that
9 required a separate calculation are Columns C, D, and E, which
10 would be the western cheddar 40 pound block, western dry whey,
11 and western WPC. And those calculations would have been done
12 using the same timeframe that is used to calculate the advanced
13 price commodity prices. And in the case of the western cheddar
14 40 pound block, that would have been indexed to the NDPSR or
15 NASS's, in the case that it applies, release of the cheddar
16 block price. And the western dry whey would have been
17 calculated relative to the Dairy Market News weekly dry whey
18 quotes, as would be the case with western WPC 34.

19 Q. And in comparing page 6 with page 12, which are the
20 ten-year average for the Class III and IV pricing factors of
21 Table 1, and then the ten-year average for the advanced pricing
22 factors in Table 2, you can see that there's a lot of
23 consistency between them, and that the columns that you
24 mentioned, C, D, and E, did have some effect but there are
25 still a lot of similarity between these two tables?

1 A. Correct. As you look at the difference between the
2 advanced pricing -- I haven't done it -- but if you look at the
3 same relative to the announced commodity prices is used in the
4 existing formulas on the Federal Order side, you would
5 similarly see a lot of consistency, but they are not equal in
6 terms of relationship.

7 Q. So just two different lenses through which to view the
8 pricing?

9 A. Well, there's one set of data, Table 1, is used in the
10 calculation of Class III and IV prices, and also the butterfat
11 piece of Class II, and the calculations on Table 2 are related
12 to Class I prices and the SNF portion of Class II.

13 Q. Thank you, Ms. Taylor. So turning now to Table 3,
14 which is on page 13, and is entitled Class IV pricing impacts.
15 Can you please just do the same thing and walk us through the
16 set up of this table and the meaning of the various columns?

17 A. Certainly.

18 So on Table 3 we're looking specifically at the
19 Class IV price which would apply to butter and dry milk
20 regulated prices. The calculations are driven from the
21 commodity prices that I explained in Table 1. The prices shown
22 on pages 1 through 3 --

23 Q. Pages 1 through 3 of Table 3, which are also pages 13
24 through 15, correct?

25 A. Correct. And to clarify, the 13 through 15 would be

1 the handwritten page numbers, just so that it is a little
2 easier for people to make their way through the whole
3 attachment. So these would be the commodity, or the, excuse
4 me, they would be the component prices that are calculated
5 based on the commodity prices that we have seen in Table 1.

6 So for example, the left portion of that table, of
7 Table 3, page, I'll use the handwritten 13 is where I'm at, the
8 Column A would be the butterfat component price that would be
9 calculated based on the use of the formula that is proposed by
10 Dairy Institute, and for reference, we have had some
11 adjustments through the hearing, or some amendments to that
12 formula, so I had included that as Attachment A, page 5 on the
13 back of my, the body of my testimony. So it would be the
14 application of those price formulas using the commodity prices
15 that existed in January of 2005.

16 Q. And just to clarify, you are using the amended price
17 formulas?

18 A. Correct.

19 Q. Thank you.

20 A. Column B would be the same logic, using the solids not
21 fat calculation. And Column C would be grossing up those
22 components on a standard component assumption under the Federal
23 Order system of 3.5 percent fat and 8.685 percent solids not
24 fat.

25 The middle table that's entitled Class IV FMMO prices,

1 October 2008 formulas, would be the component and hundredweight
2 values that were announced from October 2008 to current. And
3 for the period from January 2005 through September of 2008
4 would be the recalculated component prices by applying that
5 2008 formula to the commodity prices that existed in that
6 timeframe.

7 The table to the right, the California State Order
8 prices, current permanent formulas from August 2008, would be
9 the IV-A component prices the would be calculated based on the
10 formula that existed at the time that, well, it is the last
11 permanent set of formulas. One nuance that I'll point out,
12 Columns G and H are straightforward, they are component price
13 calculations. Column I and J, there is a difference in the
14 standard component assumption that is used by California State
15 Order as they quote hundredweight prices versus the California
16 order. It's not a large difference, but the assumption in the
17 California State Order when they quota hundredweight values is
18 3.5 percent fat, 8.7 percent SNF, and in the Federal Order it
19 is 3.5, 8.685. And I based my comparisons when I look at
20 hundredweights with the California system, on that Federal
21 Order standard assumption, just so that I have apples and
22 apples. But I did want to show the 3.5, 8.7 number because
23 most people will look at it and try to compare it with what's
24 been announced by CDFA and say it is wrong. So I wanted to
25 show, in this case, both columns, so people can get a comfort

1 level on its accuracy.

2 Q. So Column I is just provided for context for Column J,
3 but won't be entered into your calculation because it would
4 essentially be an oranges to apples calculation?

5 A. Correct.

6 Q. Thank you.

7 JUDGE CLIFTON: So often it is just a penny difference on a
8 hundredweight.

9 MS. TAYLOR: Right. I mean, it's not a big difference
10 between 8.7 pounds of SNF and 8.685, but in the interest of
11 accuracy I did want to differentiate.

12 BY MS. VULIN:

13 Q. So now if we could turn to page 16, that's where you
14 start to run the comparisons starting with Column K. Would you
15 walk us through those, please?

16 A. Certainly. The Column K through M is a comparison, the
17 Class IV price from the Dairy Institute proposal, less the
18 Federal Order as announced. Well, actually, it's not as
19 announced, with that clarification, I have taken the 2008
20 formula and brought it forward into 2005, so you will see, once
21 again, some consistency in those differences which are
22 explained by the fact that we have, in the Dairy Institute
23 proposal, adopted the same yield assumption and basic structure
24 on Class III and IV. The differences are driven by different
25 price levels, which again, we're primarily asking for a survey

1 price, but for the purpose of this analysis, have used a
2 default value, and also it's the difference in make allowance.

3 Q. The Columns M through N, as in Nancy, through P, as in
4 Paul, are the comparison with the California State Order
5 Class 4a prices.

6 Q. And then if we follow this column down to page 18, I
7 should say these columns, then we'll get down to our annual and
8 our ten-year average on page 18?

9 A. That's correct. Page 18, the ten-year average
10 difference on Class IV versus what the Federal Order formula
11 would drive, 60 cents per hundredweight. And the average
12 difference relative to the class price that would be calculated
13 based on permanent regulation at CDFA is a 21 cent reduction.

14 Q. Thank you, Ms. Taylor. So we'll turn now to Table 4,
15 starting on page 19. And we have got a lot of columns here, so
16 I will ask that you do the same and walk us through the meaning
17 of each of these.

18 A. The Table 4 is the Class III pricing impacts. This
19 table is complicated a bit because there are two different
20 approaches to other solids that are being considered under the
21 Dairy Institute Proposal. One being based on dry whey, one
22 being based on the whey protein concentrate 34 values, back
23 into a, essentially a liquid whey value equivalent.

24 Q. And Ms. Taylor, can you identify the columns that
25 address the first calculation you noted, the dry whey

1 valuation?

2 A. Sure. So columns Column C is the calculation of the
3 other solids price, using the dry whey proposal. I also, for
4 purposes of comparison with California, which does not split
5 protein from other solids, needed to calculate a solids not fat
6 equivalent for the purpose of this analysis. And so Column E
7 would be the theoretical solids not fat price per pound to be
8 used in that comparison.

9 In order to calculate the solids not fat equivalent, I
10 used the ratios that exist in the Federal Order, which would be
11 5.9 pounds of other solids, plus 3.1 pounds of protein, divide
12 that by 9 to get your price per pound of other, of solids not
13 fat. So C would be the other solids price that's used to
14 calculate the theoretical solids not fat price in Column E, and
15 also used to calculate the Class III hundredweight value in
16 Column G, which shows the, again, dry whey proposal.

17 Q. Thank you. So we have Column C, as in cat; E, as in
18 elephant; and G, as in giraffe, just to stay consistent. C, E,
19 and G, which apply to the dry whey valuation.

20 A. Correct.

21 Q. And now could you identify for us which columns you
22 would look you when evaluating the liquid whey valuation, the
23 alternative proposal?

24 A. In all cases, these are just one column to the right of
25 the ones I just noted. So the other solids, based on the

1 liquid whey proposal, show up in Column D; the solids not fat
2 price, again, using the same logic that I already described,
3 but using the liquid whey proposal in Column F, and the
4 Class III hundredweight value using the liquid whey proposal,
5 would be Column H.

6 Q. Thank you, Ms. Taylor. So now I'll ask you to start
7 back at the beginning now that we have differentiated what we
8 will use those columns for, and have you begin at A and walk us
9 across your calculations.

10 A. So A would simply be the butterfat price calculated
11 under the Dairy Institute Proposal; B is the protein price
12 calculated under the Dairy Institute Proposal; and Column C is
13 the other solids based on the dry whey Dairy Institute
14 Proposal; and D --

15 Q. You have done C through H for us, I'll let you get past
16 having to do that again. If you want to pick up at I?

17 A. I through L would be the Federal Order prices, again,
18 from October 2008 to current, should be based on the announced
19 price, prior to that, they are restated. In Columns M through
20 P would be the California State Order prices using the formulas
21 that existed in August of 2012 to restate prior periods.

22 Q. So now we can turn to page 22 to see the comparisons
23 you have run using those numbers, correct?

24 A. Yes.

25 Q. So I'll just have you walk us through those.

1 A. Okay. On page 22, this would simply, similar format to
2 what we have already discussed, left hand side is a comparison
3 with the Dairy Institute outcomes versus the Federal Order
4 Class III, and on the right side versus the California State
5 Order. The only thing, only nuance that I'll point out is the,
6 again, we have the two different versions of the other solids
7 valuation, and therefore, two different versions on the
8 Class III hundredweight value. The dry whey version is in
9 Column S and U, and the liquid WPC version is in Column T and
10 V.

11 Q. V as in Vulin?

12 A. V as in Vulin. And similarly, on the State Order,
13 there's the comparison where the dry whey based Dairy Institute
14 Proposal shows up in Columns X and Z; the liquid WPC version
15 shows up in Y and AA.

16 Q. And then if we turn to page 24 we'll be able to find
17 the yearly averages and then the ten-year average that we have
18 seen in the other tables, correct?

19 A. Correct. And in this case, you will see in the Federal
20 Order block ten-year average, the dry whey approach reduces the
21 ten-year average by 85 cents, and the liquid WPC other solids
22 valuation reduces it by \$1.42. In the comparison versus the
23 California State Order prices, the dry whey version reduces the
24 price by, or increases the price by 35 cents, and the liquid
25 WPC version reduces it by 22 cents.

1 Q. Thank you, Ms. Taylor. So I'll ask that we skip
2 Table 5 for now and move to Table 6, which you can find on the
3 legal-sized paper at the very end of your packet. Because of
4 the size of this document, we had to try and print it larger,
5 and even then it is a good eye exam test for anyone who is
6 interested in testing your eyesight.

7 So we're on Table 6, which is page 34 of the packet,
8 but hopefully easily found, as it's larger than the other
9 pages. And I'll ask, Ms. Taylor, that you tell us Table 6,
10 Class 1 pricing impacts. Can you walk us through this table,
11 please?

12 A. I hope. Okay. So Class I pricing is more complicated.
13 The prices as similar to what I already walked through, because
14 you have the driver being the higher of, effectively, the
15 butter powder value or the cheese value. We have the extra
16 columns showing what that skim value would be under both the
17 other solids proposal based on dry whey, as well as the other
18 solids based on the liquid WPC. So there is a little bit of
19 extra complication here.

20 The Columns A through C, well, let's say A through D,
21 focus on the component prices that are used to calculate the
22 skim that will drive the selection of the higher of. So
23 Column A would be the advanced protein price using the
24 Class III protein formula calculation. The Column B would be
25 the advanced other solids price, using the advance, or using

1 the dry whey factor in the Class III formula from Dairy
2 Institute. Column C would be the other solids factor using the
3 liquid WPC, approach.

4 The SNF solids calculation in D would be the SNF price
5 using the Class IV formula. Columns E through G would be the
6 calculation of the skim value that then would allow you to
7 select the higher of. So Column E is the Class III skim value
8 using the dry whey factor; Column F is the Class III skim value
9 using the WPC, liquid WPC factor; Column G would be the
10 Class IV skim using the Class IV formula for SNF.

11 The Columns H through I show you the higher of under in
12 Column H, if a dry whey factor as proposed by Dairy Institute
13 is adopted. And in Column I, if the liquid WPC factor is used
14 in the higher of calculation.

15 Based upon that -- okay. So Columns J through N are
16 the allocation of the Class I mover between SNF fluid carrier,
17 and I'm showing in Column N, the fat price. So the J through M
18 are really the skim allocation between the SNF and the fluid
19 carrier, and the SNF in Column J is driven by the dry whey
20 factor, and the fluid carrier in Column L is driven by the dry
21 whey factor. The SNF in K is driven by the liquid WPC factor,
22 and the fluid carrier in M is driven by the liquid WPC factor.

23 Column N shows the advanced Class I fat pricing, and
24 the Columns O and P show the Class I base milk price. Column O
25 being, that would be, that would be driven using a dry whey

1 formula for other solids. And P being that that would be
2 driven by the liquid WPC factor being used to calculate other
3 solids.

4 The Columns Q through T are simply taking that
5 hundredweight base milk price and adding the respective
6 differentials, \$1.80 for Northern California, and \$2.10 for
7 Southern California.

8 JUDGE CLIFTON: Let me interrupt you for just a minute.

9 (Noise from other room interruption.)

10 You may proceed.

11 MS. TAYLOR: So in this case the dry whey factor would be
12 used --

13 JUDGE CLIFTON: Let me stop you.

14 (Noise from airplane interruption.)

15 Okay. Go ahead.

16 MS. TAYLOR: So in this case, the dry whey factor is used
17 in calculations for Columns Q and S, and the liquid WPC factor
18 would be used in the calculation of Columns R and T.

19 BY MS. VULIN:

20 Q. And we see those calculations running through page 34,
21 35, and 36, and then if we turn to page 37 we will pick up
22 again at Column U. Could you walk us through these columns,
23 please?

24 JUDGE CLIFTON: There's a noisy aircraft overhead. We are
25 at the Piccadilly Inn Airport.

1 BY MS. VULIN:

2 Q. So we're on page 37, looking at Column U.

3 A. I have to ground myself, because the difference between
4 this Table 6 and the others is, in Table 6, or in the others I
5 had essentially the calculations for both, for all three, the
6 Dairy Institute, Federal Order, and California all on the front
7 set of pages.

8 In the case of Table 6, because of the complexity of
9 the Class I calculation, what we have gone through so far is
10 strictly the Dairy Institute piece. And so page 37 starts the
11 summarization of the existing Federal Order and the existing
12 CDFA pieces of the calculations. So the Columns U through AA
13 would be the Federal Order prices, again, restated to the
14 October 2008 formulas. And the Columns AB through AK are the
15 CDFA regulated milk prices restated to current permanent
16 formulas.

17 Q. So then to get to the comparisons, I believe we turn to
18 page 40, which is the third to the last page of the document.
19 Could you walk us through the comparisons here, please,
20 Ms. Taylor?

21 A. Certainly. So on page 40, this is, they have bottom
22 line analysis of what's the difference between the Dairy
23 Institute Proposal and the existing Federal Orders or the
24 existing CDFA data. In the left five columns, which it seems I
25 failed to letter, is the comparison with the Federal Order

1 based Class 1 price, fat, skim based on the dry whey proposal,
2 skim based on the WPC 34 proposal, liquid WPC 34 proposal, and
3 then the associated hundredweight comparisons.

4 This is a base Class I price to base Class I price
5 comparison. The columns to the right, the table to the right
6 is a little bit of an apples and oranges comparison as I noted
7 in my testimony, because California doesn't apply a
8 differential to a comparable number that you would find in the
9 Federal Order for a base month price. Effectively what they do
10 is calculate a commodity reference price, whose, in the
11 formulas are not adjusted automatically every time 4a and
12 Class 4b formulas are adjusted. And those formulas I'll
13 characterize very loosely as being richly rooted in those
14 manufactured class formulas at one time, without having any
15 make allowances in them. And so inherently they have an
16 elevation in price level. And so this comparison versus the,
17 from the Federal Order base price to the California Class 1
18 price, is apples and oranges. And probably another way that we
19 could compare it is, the Federal Order price inclusive of the
20 differential, that would really be the apples and apples
21 comparison, but there's some complications in doing that in
22 itself, so I chose just to keep it cleaner. But we should
23 recognize the price that would be paid for Class I under the
24 Dairy Institute Proposal in a Federal Order system, would be
25 increased by the differential amount from the prices

1 represented here.

2 Q. So are these prices then, are they going to be a little
3 bit too low or a little bit too high?

4 A. These would represent the Dairy Institute prices as
5 being lower than those that would apply by the differential
6 that would apply at that plant.

7 Q. Thank you, Ms. Taylor. So I'll -- guide us now to
8 Page 42, which is the end of that table, where we can find our
9 annual averages over the ten-year period, and then our ten-year
10 average for this data, correct?

11 A. Yes. So the base month comparison for the ten-year
12 average, using the dry whey other solids valuation is 36 cents
13 lower than the base month average that would have existed using
14 the October 2008 formulas going backwards in the Federal Order,
15 using the liquid WPC approach, a little over 55 cents lower.

16 Relative to the California State Order, and this is
17 where I would like to remind everybody again, the actual price
18 paid in the Federal Order would include an additional
19 differential, but if you do a comparison between the Class I
20 base month price and the California State Order price using the
21 dry whey factor, it would be \$2.59 difference.

22 Now, the one thing I should point out in this table,
23 it's the only place where, instead of having the component
24 calculated based on dry whey right next to the component
25 calculated on the liquid WPC proposal, I have grouped. So in

1 the left side of that California comparison, fat, SNF, fluid
2 carrier, and hundredweight are all calculated on the dry whey
3 factor, and then at the right side of that table it's all
4 calculated on the WPC, liquid WPC factor. And so the
5 difference, again, for the ten-year average using the dry whey
6 factor is 2.5863, and the difference using the liquid WPC,
7 okay -- and I see I need to make a correction in that column
8 heading. Fourth line down, right most column, where it says
9 dollars per hundredweight at 3.5 fat, 8.685 SNF, 87.815 fluid
10 carrier, instead of saying dry whey, that should say liquid
11 WPC, as is also noted in the heading that is above those last
12 four columns.

13 Q. So, Ms. Taylor, we should probably begin on page 40 to
14 make that correction, since that's the beginning of that
15 column, correct?

16 A. That's correct.

17 Q. Okay. So, your Honor, we would ask that that
18 correction be made to the record copy.

19 JUDGE CLIFTON: All right. Let's do the easy thing first,
20 and let's give the columns letters, and then we will have an
21 easier time pinpointing exactly where we're making that change.
22 So how would you like us to label the columns beginning with
23 page 40 so that each one has a letter?

24 MS. TAYLOR: We ended the prior set of tables, it would
25 appear with AK, so now I'm going to have to test my memory of

1 the alphabet.

2 MS. VULIN: So we probably want to begin at AL.

3 MS. TAYLOR: AL, then AM, AN, as in Nancy.

4 MR. BESHORE: So what are we marking?

5 MS. VULIN: So we are on page 40, we are four lines down on
6 the column designation row. And we accidentally omitted the
7 labels for those columns, so now we're filling them in,
8 beginning with the fat dollars per pound column, which will
9 begin with an AL; the skim dry whey column, which will be AM,
10 as in mother; the skim WPC 34 column, which would be AN, as in
11 Nancy; the dry whey column, which will be AO; the liquid WPC
12 column, which will be AP.

13 Now we're moving over to the right hand table. This is
14 the Proposal 2 base month Proposal less the California State
15 Order Class 1 prices. So now I'm in the fat column, which will
16 be AQ; the SNF column, which will be AR; the fluid carrier
17 column, which will be AS; the dry whey column, which will be
18 AT; the fat column, which will be AU; the SNF column, which
19 will be AV; the fluid carrier column, which will be AW; and the
20 liquid PC column, which is currently at one we're going to
21 change, so that will be AX; and then additionally, above the
22 addition of AX there, we would ask that dry whey be stricken
23 and replaced with liquid WPC.

24 And we ask that these corrections be carried on through
25 page 41 and 42, your Honor. I'm happy to talk through those,

1 if you think necessary.

2 JUDGE CLIFTON: No, I want you to be quiet. Oh, you mean
3 walk us through it. I thought you meant keep going while we're
4 making these changes. Okay. So, Ms. May, are there any
5 questions you would like to ask about the changes just made?

6 MS. MAY: No, I think I have got it.

7 JUDGE CLIFTON: Great. Thanks. All right. And what we
8 will do in our leisure, Ms. Vulin, is make exactly those same
9 changes to pages 41 and 42, and may proceed.

10 BY MS. VULIN:

11 Q. Thank you, your Honor.

12 Is there anything else, Ms. Taylor, that you want to
13 add regarding Table 6?

14 A. Yes, please. The thing that I would point out, again,
15 relative to price impacts on Table 6, if you look at the
16 ten-year average.

17 Q. On page 42?

18 A. Yes. I would like to point out again, that the Federal
19 Order piece, that's the Dairy Institute Proposal, the data
20 omits the Class I differential, which will be different
21 depending upon plant location, and it's \$2.10 in
22 Southern California, so you could think about the difference
23 in, let's say -- now I figured out that I didn't relabel my
24 columns in that table. Okay. Column AX, the right most
25 column, you could think of the price impact being, rather than

1 the \$2.78 in the \$2.10 zone, it would be the 68 cent reduction.
2 And similarly, you know, over on the, in column AT, instead of
3 the \$2.58 in that \$2.10 zone, it would be 48 cent difference.

4 JUDGE CLIFTON: Okay. And when you refer to the \$2.10
5 zone, you are referring to \$2.10 zone?

6 MS. TAYLOR: Correct, where the differential that would be
7 applied would be \$2.10.

8 MS. VULIN: Thank you, Ms. Taylor. So your Honor, before
9 we begin Table 5, I would request that we stake a small break.
10 We have gone through a lot of data and there might be a small
11 change that we would like to make to Table 5.

12 MR. ENGLISH: Chip English. So this might define how small
13 the break is, so we'll see if we can help define it. This is a
14 lot of material and a lot of information, and we have been
15 working, even as Ms. Vulin and Ms. Taylor have been going
16 through it.

17 And the first three pages of Table 5 are fine.
18 Beginning on page 4 of Table 5, and the easiest thing to do is
19 look at the first column on the left. Page 4 of the Table 5, I
20 don't have those numbers. Page 28, thank you.

21 There's a nuance in California that a price is
22 announced and holds for two months, and that nuance somewhere
23 in these 42 pages of tables did not get picked up in what is
24 presently Table 5 that you all have in front of you. And that
25 will carry forward, just on the California side of things.

1 That will carry forward starting on page 4, does not affect the
2 Federal Order values, but obviously would affect the
3 comparison.

4 Dr. Schiek has been re-running those calculations, and
5 we actually have already, in my hand, one copy of what would
6 could arguably replace all of Table 5, and/or we could make it
7 Exhibit A, something A, whatever the number is, because I'm
8 confused. So that would be the reason to take a short break so
9 that we can get copies of that and get that on. And I know it
10 is 10:20, so it is maybe a little short of where we normally
11 take our break, but I think it makes more sense to do that and
12 have her complete Table 5 after we do that

13 JUDGE CLIFTON: I agree. And I'm glad you alerted us
14 before so that people weren't trying to solve it themselves.

15 MR. ENGLISH: That's why I thought we would take the break,
16 tell you ahead of time of what we're doing and why we're taking
17 the break.

18 JUDGE CLIFTON: Right. And we won't take a short break,
19 we'll take 15 minutes.

20 MR. ENGLISH: And the good news is, in the world we live
21 in, this is the smallest class I think, so, I mean, but it is
22 important, all of these numbers are important, so we want to
23 fix that.

24 JUDGE CLIFTON: Very good. Please be back and ready to go
25 at 10:37. 10:37. That gives you 15 minutes.

1 (Whereupon, a break was taken.)

2 JUDGE CLIFTON: We are back on record at 10:37. Ms. Vulin?

3 MS. VULIN: Thank you, your Honor. We have printed what is
4 titled Table 5, Class 2 pricing impacts, but begins on
5 Page number 43. And this document we're going to ask be made
6 part of Exhibit 161, and that you simply append it at the end
7 of the document to begin after the Table 6 legal-sized page
8 documents. I have additional copies here. Is there anyone who
9 has not received a copy of the new Table 5, beginning on
10 Page 43?

11 JUDGE CLIFTON: It appears everyone has a copy. Very fine.
12 Then I would suggest that you just resume your examination of
13 Ms. Taylor.

14 MS. VULIN: Thank you, your Honor.

15 BY MS. VULIN:

16 Q. So Ms. Taylor, before we begin this Table 5, I would
17 ask that you please turn to page, Table 5, beginning on
18 Page 25.

19 And, your Honor, I will leave it up to you, but I would
20 like to make some indication on this page whether to X-out the
21 entire table or to make a notation that this table is no longer
22 the correct version that we -- and we would not support anyone
23 relying on this table.

24 JUDGE CLIFTON: Let me look at them.

25 MS. VULIN: Beginning on page 25.

1 JUDGE CLIFTON: They look so different. Okay.

2 MS. VULIN: May I recommend just an X through the table?

3 JUDGE CLIFTON: I -- you know, I have testimony from this
4 witness about this document, do I not?

5 MS. VULIN: We haven't looked at this table specifically,
6 she referenced it in her written testimony.

7 JUDGE CLIFTON: But not today?

8 MS. VULIN: But not today. We skipped Table 5 and moved to
9 Table 6.

10 JUDGE CLIFTON: Oh, I remember you did that. Aren't you
11 clever.

12 MS. VULIN: So we haven't looked at this specific data.

13 JUDGE CLIFTON: All right. Then, yes, I think what we
14 should do is, we should put a line from the top left corner,
15 just a line down through to the lowest right hand corner on
16 each of these pages; 25, 26, 27, 28, 29, 30 and 31, and 32 and
17 33. I believe we should do that. And on page 25 we should
18 say, "See pages 43 through 51". Would that suffice?

19 MS. VULIN: Yes, your Honor, thank you.

20 JUDGE CLIFTON: Ms. May, do you have any questions about
21 that?

22 MS. MAY: Why today? No, I got it.

23 MS. VULIN: Thank you, your Honor.

24 BY MS. VULIN:

25 Q. So, Ms. Taylor, I ask that you now turn to page 43,

1 which is Table 5 that we provided. Can you, similar to the
2 other tables, walk us through what each of these tables means,
3 please?

4 A. Certainly. On page 43, the left block of columns is
5 the Class II price under Dairy Institute's Proposal, and the
6 right block is the Federal Order prices restated to the
7 October 2008 formulas in the right. And these are, again, the
8 component and hundredweight prices that are calculated using
9 the commodity prices that existed in those months.

10 So Column A is the butterfat price per pound on Class
11 II; Column B is the SNF price per pound for Class II under the
12 Dairy Institute Proposal; Column C is the skim per
13 hundredweight; and Column D is the Class II at Federal Order
14 standards, per hundredweight. That's all, again, A through D
15 is under the Dairy Institute proposal, and the same column
16 layout for E through H for the Federal Order existing formulas.

17 Q. Thank you, Ms. Taylor. I ask now that you turn to
18 Page 46, please. And beginning in Column I on page 46, can you
19 walk us through these California State Order prices?

20 A. Certainly. And to clarify once again, the California
21 Order has two-month pricing, advance pricing on the Class 2
22 piece, and so they lock in relative to the commodity values
23 prior to the first of those two months. And so what you would
24 see, if you look at this table versus what was in my original,
25 the original allowed that calculation to happen every month, so

1 the numbers are changed by essentially the second month getting
2 corrected to be locked the same as the first month in the
3 period.

4 The Column I is the Southern California butterfat Class
5 2 price; Column J, is the Southern California solids not fat
6 Class 2 price; and the Column K would be the hundredweight
7 price, again, restated similar to what I have done in other
8 tables from the normally quoted 3.587 reference that California
9 uses, down to the 3.58685 reference used in California.

10 The next block is the same, but for Northern
11 California, because there is a price difference in Northern
12 California versus Southern California, so that would be
13 Columns L through N. And then starting in Column O we have the
14 Class III price. Again, we have the Federal Order Class II is
15 equivalent to the combination of 2 and 3 in California. So
16 Column O is the Class III fat; Column P is Class III SNF; and
17 Column Q is the Class III hundredweight restated to the Federal
18 Order components.

19 In order to try to establish a consolidated value
20 across California's Class 2 and 3, we then took a simple
21 average of the Class 2 prices between Northern and Southern
22 California, and weighted that simple average with the Class III
23 price based on the pool utilization. So columns R and S, are,
24 would be the total solids utilization for Class II in the pool;
25 and Column S would be total solids utilization for Class III in

1 the pool.

2 Column T would be that weighted average result, where
3 we took the simple average of Northern and Southern California
4 Class 2, weighted it with the Class 3 price, to come up with
5 that weighted average in Column T, it is fat price per pound;
6 Column U it is SNF price per pound; and Column V it is a
7 hundredweight equivalent.

8 Q. Columns T, U, and V take into account the data provided
9 in Columns I through S, to develop these weighted averages,
10 correct?

11 A. That's correct.

12 JUDGE CLIFTON: Let's go off record a minute.

13 (Whereupon, a break was taken.)

14 JUDGE CLIFTON: We are back on record.

15 BY MS. VULIN:

16 Q. So now I would ask that you turn to page 49, please.
17 And here, similar to the other tables, we can see the
18 comparisons between the Dairy Institute Proposal, the Federal
19 Milk Marketing Order standard prices, and then the California
20 State Order weighted prices, correct?

21 A. That's correct. In Columns U through X, we have the
22 comparison between the Dairy Institute Proposal and the Federal
23 Order Class II price as restated.

24 In Columns Y through AA we have the comparison between
25 the Dairy Institute Proposal and the California State Order

1 weighted average.

2 Q. Thank you. And if we turn to page 51, at the bottom of
3 that page we're able to find our annual averages and then the
4 ten-year average that we have seen in the other tables?

5 A. That's correct. Pointing you to the hundredweight
6 impact of the Dairy Institute Proposal, the Class II price
7 would be 58 cents below the Federal Order Class II price; and
8 the Dairy Institute Class 2 price would be 15 cents higher than
9 the existing California State Order Class 2 price.

10 Q. Thank you, Ms. Taylor. Is there anything else you
11 would like to add in regards to Table 5?

12 A. No.

13 Q. How about any of the other tables, anything else you
14 would like to add?

15 A. No.

16 Q. Your Honor, at this time I would like to move to admit
17 Exhibit 160 and Exhibit 161.

18 JUDGE CLIFTON: Let's start with 160. Does anyone wish to
19 question Ms. Taylor before determining whether you have any
20 objection to it being admitted? No one. Are there any
21 objections to the admission into evidence of Exhibit 160?
22 There are none. Exhibit 160, that's 160, is admitted into
23 evidence.

24 (Thereafter, Exhibit Number 160, was
25 received into evidence.)

1 JUDGE CLIFTON: With regard to Exhibit 161, is there anyone
2 who wishes to question Ms. Taylor before determining whether
3 you have any objection to it being admitted into evidence?

4 MS. VULIN: Just for the record, I want to confirm that the
5 newly printed 5 is a part of Exhibit 161, and we would like
6 everyone, if they would, to just paper clip those together and
7 consider them one exhibit.

8 JUDGE CLIFTON: Yes, I agree. It is an exhibit that goes
9 from page 1 to page 51. No one. Are there any objections to
10 the admission into evidence of Exhibit 161? There are none.
11 Exhibit 161 is admitted into evidence.

12 (Thereafter, Exhibit Number 161, was
13 received into evidence.)

14 MS. VULIN: Thank you, your Honor.

15 JUDGE CLIFTON: Mr. English.

16 MR. ENGLISH: Chip English. Your Honor, during the break
17 we were efficient getting documents copied, and we had some
18 conversations about scheduling. And I understand there's
19 concerns, but I'm really going to fight hard for Ms. Taylor,
20 because she's already missing meetings that are very important
21 meetings. So, here in a nutshell, I hope we don't spend a lot
22 of time discussing this and delaying it, is how I understand
23 the lay of the land.

24 First, I want to thank Mr. Smith and his dairy farmers.
25 My understanding is, and I may have, I don't know which one is

1 which, but one of the farmers is on a 7:00 p.m. flight tonight,
2 so if we went a little late, we could conceivably get him done
3 if we needed to. The other farmer is actually going to be here
4 tomorrow morning, and so if worse comes to worse, could go
5 tomorrow morning. But obviously we want to accommodate them
6 and get them on sooner.

7 Second, Ms. Hancock has graciously shared with me the
8 statement of Mr. Otis. And it is shorter, I can't say how long
9 additional direct is, but it is certainly shorter than the
10 testimony of we heard yesterday, and I can tell you that from
11 my initial look without knowing what the additional direct is,
12 my cross-exam is a significantly shorter. I understand they
13 need to leave at 3:20, on the other hand, they are, I
14 understand they are a producer-distributor, but they are a
15 distributor, I think they are more like my clients.

16 Without spending a lot of time on it, I would like to
17 push forward with the cross-exam of Ms. Taylor to see if she
18 can get out of here to get to her meeting this afternoon, if at
19 all possible.

20 I understand at some point in time we may need to break
21 to do something, and I certainly will commit to work with
22 Ms. Hancock about Mr. Otis, although I do think that we have
23 been trying to push through and there's been various things
24 that we have accommodated.

25 Again, I don't want to spend a lot of time on it. I

1 can even, without talking to my client, offer to share the
2 pizza cost if that's what we decide to do on lunch. So I would
3 like to see if we can just move forward and get this done.

4 JUDGE CLIFTON: Does anyone want to be heard on scheduling?
5 Mr. Beshore?

6 MR. BESHORE: I believe that we should adjourn the cross of
7 Ms. Taylor for the moment and allow Ms. Hancock's witness who
8 is only available today, and Mr. Smith's witness, and then
9 continue with Ms. Taylor.

10 In terms, and just make very quickly, there's a lot of
11 data here that's been changed this morning. If I have to
12 cross-examine now so that she can leave, I don't think that's
13 appropriate.

14 MR. ENGLISH: Your Honor, we were handed massive pieces of
15 data that people didn't have the privilege of having overnight.
16 I would indicate that Table 5, all data is important, but I
17 think everybody cares a whole lot more about Class III and IV
18 and I. But, you know I think that we can spend a lot of time
19 debating this or we can move forward.

20 I really, on behalf of the Dairy Institute, and on
21 behalf of Ms. Taylor, who has worked absolutely phenomenal
22 hours to get this done, I owe it to her to get her done and get
23 her out of here. Let's see how far we can get. If at some
24 point we may need to take a break for Mr. Otis, but again, I
25 indicate that Mr. Smith has graciously told me that his farmers

1 can go later or even tomorrow morning, so I don't know why we'd
2 interrupt Ms. Taylor for that purpose, and I think we need to
3 get done. And I think Ms. Taylor needs to be heard on this as
4 well, because she really is missing very important leadership
5 meetings, and she needs to get done.

6 JUDGE CLIFTON: Ms. Hancock, where are Mr. Otis and
7 Mr. Lund from?

8 MS. HANCOCK: They are from Modesto, your Honor. If we
9 don't get them on today, we have had them on hold since Friday,
10 and if we don't get them on today, I lose them for the rest of
11 the length of this hearing through next week, because they have
12 pushed their meetings out already as well. And I appreciate
13 that Ms. Taylor has as well. And it's just a predicament, and
14 frankly, the longer we talk about it, the less ground we're
15 gaining, but we can order pizzas now and maybe break for a half
16 an hour, or whatever the court reporter is willing to do.
17 We'll do as much as we can, that's why we gave them the
18 testimony, you know, it's important for our case to get the
19 testimony on, and if we don't get it on today before they have
20 to leave, we lose the opportunity.

21 JUDGE CLIFTON: Now, you say they have to leave this room
22 at 3:30?

23 MS. HANCOCK: They have to leave Fresno by 3:20.

24 JUDGE CLIFTON: They have to leave this room at 3:20.

25 MS. HANCOCK: That's right.

1 JUDGE CLIFTON: All right. What I want to do, I want to
2 finish Ms. Taylor. I want her then to go, she's out-of-state,
3 she has to go back to Colorado, I believe, so I want to finish
4 her first. Then I'm happy to push through with Mr. Otis and
5 Mr. Lund. I don't think we should break for pizza. I think we
6 should just get it done. And then if we're hungry and it's not
7 yet 5:00, we'll figure out what to do about food.

8 MS. HANCOCK: The court reporter is the only --

9 JUDGE CLIFTON: She looks forlorn. So that's what --
10 that's what I would like to do. So let's get after it. All
11 right. Ms. Vulin. Let me hear from Mr. Smith.

12 MR. SMITH: Not to belabor, but just to to be clear,
13 Mr. Sparrow's flight leaves at 7:00, so he needs to be at the
14 airport in timely fashion before that.

15 JUDGE CLIFTON: What time does he need to leave this room?
16 Figure that out and let me know.

17 MS. SMITH: If we say an hour, so he needs to leave no
18 later than 5:30, quarter to 6:00.

19 JUDGE CLIFTON: Okay. You are saying he needs to leave no
20 later than 5:30. Okay. Thank you. Fortunately, the airport
21 is just around the corner from here. I wouldn't want to walk,
22 though. Okay. Ms. Vulin, you may proceed.

23 MS. VULIN: I have concluded my direct examination and
24 Ms. Taylor is now available for cross-examination.

25 JUDGE CLIFTON: Who will ask the first questions of

1 Ms. Taylor? You know, at times like this I wish Mr. Vetne were
2 still here. Thank you, Mr. Beshore. I appreciate it. I know
3 it is very difficult.

4 CROSS-EXAMINATION

5 BY MR. BESHORE:

6 Q. Starting is not the difficulty, concluding without
7 recourse is the issue. Marvin Beshore. Good morning --

8 A. Good morning.

9 Q. -- Ms. Taylor. The Dairy Institute's, the data, you
10 know, what 50, 60 pages, whatever it is now, there are no blend
11 prices calculated in that set of data, correct?

12 A. That's correct.

13 Q. But that's what dairy farmers of California will
14 experience if the Dairy Institute's Proposal were to be
15 adopted, correct?

16 A. I don't believe that that would be representative of
17 the broad experience of dairy farmers.

18 Q. They wouldn't have minimum regulated blend prices?

19 A. There would be an announced blend price, but because
20 the Dairy Institute Proposal adopts the traditional Federal
21 Order rules regarding the application of the price and pooling,
22 the blend price would be less relevant for many of the dairymen
23 because there would be a competitive price that would be set up
24 outside of the blend.

25 Q. Have you done any, do you have any tables to suggest to

1 the dairy farmers of California what those, what you project
2 those prices to be?

3 A. I do not.

4 Q. So what we can work with are your minimum prices, so
5 let's work with them. Your proposed prices which would, which
6 would, under, which would be minimum regulated prices. So I
7 would like to ask, your Honor, to mark as the next exhibit, a
8 one-page document.

9 JUDGE CLIFTON: All right. Some help, please, passing them
10 out. I'm going to mark this, Ms. May, Exhibit 162.

11 (Thereafter, Exhibit Number 162, was
12 marked for identification.)

13 JUDGE CLIFTON: Ms. May will need numbers of them. Are you
14 content with just one now, Ms. May? Everyone has a copy.
15 Mr. Beshore.

16 BY MR. BESHORE:

17 Q. Thank you. On Exhibit 162, Ms. Taylor, we have, which
18 is titled, Difference Between Federal Order Prices and Dairy
19 Institute of California Proposal 2 Prices, 2014 Annual Total,
20 The New California Discount.

21 So we have filled in, from the sources indicated on the
22 footnote, the pounds of utilization in California and the CDFA
23 pool in 2014. What I would like you to assist us with is
24 completing this table by filling in the price difference per
25 hundredweight for each of the classes on this on this table,

1 and we will need to, you will need to point us, direct us to
2 the page and location in Exhibit 161, I guess it is, where
3 these price differences can be found. Let's start with start
4 with Class I.

5 A. The premise of this calculation is inaccurate in terms
6 of reflecting what would happen. Even your own proponent
7 witnesses for Proposal 1 recognize, that, in fact, milk would
8 come outside of the pool, that there would be a competitive
9 pricing surface that would exist, and, in fact, as I noted in
10 Part 2 of my testimony, I would expect, and I also noted in
11 this testimony, I would expect that the underlying prices to be
12 quite different as a result. You would have more product price
13 conversions between the manufacturing classes and that
14 competition would likely drive a price surface with premiums to
15 farmers that would be quite different than what you have
16 calculated or are trying to have me calculate here.

17 The only way to get an effective price level at the
18 farm level is to push it through an econometric model of sorts.
19 In fact, Dairy Institute did contact Dr. Stephenson, probably
20 18 months ago, recognizing that there's so many dynamic changes
21 that would be --

22 MR. BESHORE: Your Honor, I hate to interrupt the
23 witness, but this, I just, we've experienced a dissertation
24 which was not an answer to my question, and you know, they
25 could make all the arguments on redirect whatever they want. I

1 asked for a number from Exhibit 161.

2 JUDGE CLIFTON: She's in the middle of explaining why that
3 won't work and I'll hear her out.

4 MR. BESHORE: It's not a matter of working, I asked for a
5 number.

6 JUDGE CLIFTON: I know you asked for a number.

7 MR. BESHORE: Is there a number and what is it?

8 JUDGE CLIFTON: Let me hear the rest of her explanation.

9 MR. BESHORE: Why would -- why is that appropriate on cross
10 when I asked for a number, and there's, it hasn't been
11 provided.

12 JUDGE CLIFTON: No, it hasn't. Would you let Ms. Taylor
13 finish, please. Ms. Taylor, you were explaining that you had
14 contacted Dr. Stephenson. Please resume.

15 MS. TAYLOR: Yes, thank you, your Honor. We contacted
16 Dr. Stephenson about 18 months ago to see if he might be
17 willing to do some modeling for us so that we could fully
18 anticipate all the adjustments that would occur relative to any
19 proposal we have put forward, but unfortunately he had already
20 done some work for the cooperatives, your clients, and felt
21 that he would be in conflict modeling the California State
22 Order for Dairy Institute, in conflict with his arrangement
23 with you folks as well. That is the only model that I know of
24 that exists, that will last capture, not only the regulated
25 price impacts, but also what goes on in the marketplace, which

1 ultimately you premised your question on dairy farmers needing
2 to know what the impact is to them. It's not the regulated
3 price impact, it's all-inclusive, including the competitive
4 premiums.

5 MR. BESHORE: Okay.

6 JUDGE CLIFTON: Mr. Beshore, do you want the witness
7 instead, to respond to a question of what would the minimum
8 regulated price be under the Proposal 2 for each of these
9 classes?

10 MR. BESHORE: I'm, I would. And, your Honor, I didn't ask
11 the witness to do any calculations, I don't intend to ask the
12 witness to do any calculations. I asked her, I attempted to
13 start asking her, to locate on her 50 plus pages of tables and
14 charts for us, the four numbers that would fill in the columns
15 on Exhibit 162 for price difference per hundredweight under
16 Proposal 2 versus Federal Order prices.

17 JUDGE CLIFTON: What price do you want her to look for?

18 MR. BESHORE: First, Class I first.

19 JUDGE CLIFTON: No, no, no, do you want her to look for
20 what a farmer can expect in his mailbox or do you want her to
21 look for a minimum regulated price?

22 MR. BESHORE: I want her to look for the difference between
23 the Federal Order price and the Dairy Institute of California
24 Proposal 2 price for Class I for to start with.

25 JUDGE CLIFTON: All right. And I think you are talking

1 about minimum regulated price.

2 MR. BESHORE: I am. That is -- those are the prices which
3 are in Proposal 2. She's already testified she hasn't
4 calculated any blend prices, or any over order prices, or any
5 other prices except minimum prices, those are the only prices
6 that are in her table and that is the price that I would ask
7 her to point us to.

8 JUDGE CLIFTON: All right. Ms. Taylor, can you do that?

9 MS. TAYLOR: Yes. And, Mr. Beshore, I'm interpreting this
10 to be the difference from the Federal Order price, not the
11 difference from the CDFA --

12 MR. BESHORE: Yes.

13 MS. TAYLOR: -- existing prices.

14 BY MR. BESHORE:

15 Q. Yes, that's correct. As titled, Difference Between
16 Federal Order Price and Dairy Institute of California Proposal
17 2 Price and the Difference.

18 A. Okay. For Class I, the difference per hundredweight
19 over a ten-year average, found on page 42 of the exhibit, is
20 55.5 cents.

21 Q. Okay. And since we're using 2014, I wasn't clear
22 enough, we're using 2014 numbers here for utilization, so I
23 would prefer, I would request the 2014 average numbers in each
24 of these categories. So that's page 42 for Class I?

25 A. That is. And I'll give you two sets of numbers because

1 it does get impacted by whether the dry whey proposal is
2 adopted or the liquid WPC proposal is adopted. So for 2014,
3 under the dry whey proposal, it would be 30.36 cents.

4 Q. Negative 30.36 cents?

5 A. Yes.

6 Q. And that's column --

7 A. Column AO.

8 Q. Okay. So the dry whey negative would be minus 30.36
9 cents, 2014 average. And then for the liquid WPC it would be
10 what?

11 A. A negative 77.81 cents.

12 Q. And that, of course, is liquid WPC is the preferred
13 proposal of Dairy Institute, correct?

14 A. Yes.

15 Q. Okay.

16 JUDGE CLIFTON: And what column is that please, Ms. Taylor?

17 MS. TAYLOR: I believe that would be AP. Yes, AP, as in
18 Paul.

19 BY MR. BESHORE:

20 Q. Okay. So let's -- same. I would ask for the same
21 numbers then, for Class II, 2014, annual average.

22 A. The Class II would be found on page 51, and the
23 difference would be a reduction of 52 cents in 2014, and that
24 shows up in column X.

25 Q. Okay. Page -- what was the page again?

1 JUDGE CLIFTON: 51

2 MR. BESHORE: 51?

3 BY MR. BESHORE:

4 Q. Okay. So it is 43 cents for -- I'm sorry, is there
5 only one?

6 A. 52 cents.

7 Q. Okay. And that's whether it's dry whey or liquid whey?

8 A. That's correct. The Class II price is calculated based
9 on nonfat dry milk.

10 Q. Got it. Thank you. Class III? Same number annual
11 average 2014 for Class III.

12 A. Class III would be found on page 24, and under the dry
13 whey proposal it would be a reduction of \$1.02, under the
14 liquid whey proposal it would be a reduction of \$2.03.

15 Q. Okay. \$1.02 annual in 2014 for the dry whey, \$2.03
16 annual 2014 for the liquid whey, correct?

17 A. Yes.

18 Q. And that's page 24 of Exhibit 161?

19 A. Correct.

20 JUDGE CLIFTON: And would you identify the columns for us
21 please, Ms. Taylor?

22 MS. TAYLOR: The dry whey would be Column U, and the liquid
23 WPC would be column V.

24 JUDGE CLIFTON: Column V?

25 MS. TAYLOR: V as in Victor, yes.

1 JUDGE CLIFTON: Thank you.

2 MR. BESHORE: Okay.

3 BY MR. BESHORE:

4 Q. Let's move to the Class IV prices and annual 2014.

5 A. That price impact would be found on page 18, and it
6 would be a reduction of 60 cents a hundredweight.

7 Q. And that's not affected by alternative scenarios for
8 liquid whey, correct?

9 A. That's correct.

10 JUDGE CLIFTON: What column, please?

11 MS. TAYLOR: That would be found in column M as in Mary.

12 BY MR. BESHORE:

13 Q. Okay. Now, I don't have a column on Exhibit 162 for a
14 comparison with current CDFA prices.

15 JUDGE CLIFTON: I'm sorry, I have to go back. Tell me
16 again the number that you have just told Mr. Beshore with
17 regard to Class IV, Ms. Taylor?

18 MS. TAYLOR: Page 18, a reduction of 60 cents, .60.

19 JUDGE CLIFTON: All right. 6, thank you. I wrote it down
20 wrong. Thank you.

21 BY MR. BESHORE:

22 Q. Okay. Now, I didn't put a set of boxes on 162 or
23 didn't make a separate exhibit to compare Proposal 2 prices
24 with current or 2014 CDFA prices, but I would like you to
25 provide that information for us and tell us where we can, point

1 it out on Exhibit 161 and tell us what those values are.
2 Going, you know, sequentially Class I, II, III, and IV.

3 A. Class I, recall that the comparison with California
4 from the base month Federal Order price over to the California
5 Class 1 price is a bit of a mismatch since the California price
6 is all-inclusive and the California base month doesn't include
7 the differential, and I disagree with the methodology used by
8 Mr. Hollon on how to establish that weighted average
9 differential, so I will simplify it and use the \$2.10 and the
10 \$1.80, which, again, I'm not claiming to be the average. The
11 difference netting out the \$2.10 would be for the dry.

12 JUDGE CLIFTON: Now, lead us to where you are looking.

13 MS. TAYLOR: Okay. Page 42.

14 JUDGE CLIFTON: Okay. And just so the transcript will
15 reflect, when you say 210 you are talking about \$2.10 and when
16 you say 180 you are talking about \$1.80.

17 MS. TAYLOR: That's correct.

18 JUDGE CLIFTON: Okay.

19 MS. TAYLOR: And in Column AT we have the price difference
20 with a dry whey factor, and in 2014 that is \$2.29, so it, with
21 the \$2.10 differential that would be an 18 cent reduction.

22 MR. BESHORE: 2.29 minus \$2.10 would be 18 cents?

23 MS. TAYLOR: 19 cents.

24 BY MR. BESHORE:

25 Q. Thank you. And liquid whey?

1 A. Column AX, the reduction in 2014 would be \$2.76,
2 adjusted by that \$2.10 would be 66 cents.

3 Q. Negative 66 cents. Okay.

4 JUDGE CLIFTON: Let me make sure I got the response. Is it
5 negative, Ms. Taylor?

6 MS. TAYLOR: Yes.

7 JUDGE CLIFTON: And is the 19 cents also negative?

8 MS. TAYLOR: Yes, it would be.

9 JUDGE CLIFTON: Thank you.

10 BY MR. BESHORE:

11 Q. Okay. Let's move to Class II, then. Comparing 2014
12 CDFA prices, with the 2014 Proposal 2 prices, would that be on
13 page 51?

14 A. Yes, it would be. And in 2014, the Class II price
15 would be 6 cents above the California price, and that would be
16 found on page 51.

17 Q. And that's the far right column?

18 A. Correct. The one that, on page 49, where the table
19 starts is labeled as AA.

20 Q. Okay. Let's go to Class III then. 2014 difference
21 between Proposal 2 and the CDFA prices. Would we go to
22 Page 24?

23 A. Yes, page 24, the difference in 2014, using the dry
24 whey factor would be an increase of \$1.49.

25 Q. Okay. And with the liquid WPC?

1 A. That would be 47 cents, and the dry whey would be found
2 in Column Z, as in Zebra, and the liquid WPC in Column AA.

3 Q. Okay. And Class IV price, would that be on page 18?

4 A. Yes, it would. The 2014 difference is a reduction of
5 41 cents, so a negative .41, and that's found in Column P, as
6 in Paul.

7 Q. Okay. Very good. Thank you, Ms. Taylor. Let me, let
8 me have marked as the next numbered Exhibit 163.

9 JUDGE CLIFTON: I'm going to mark this new hand out as 163.

10 (Thereafter, Exhibit Number 163, was
11 marked for identification.)

12 MR. BESHORE: I just want to check some numbers in your
13 tables with, with Exhibit 163. And I think if these are all,
14 if all our copies are marked, there's a highlight line through
15 the Class I base price number in the left column of 163. Do
16 you see that? Is that marked that way on yours, Ms. Taylor and
17 your Honor?

18 JUDGE CLIFTON: Yes, and mine's in color, mine's a red
19 mark, and people are shaking their heads theirs is, too.

20 MR. BESHORE: Okay. Very good.

21 BY MR. BESHORE:

22 Q. So where on, and this is just printed this last evening
23 from the AMS website. Could you direct us to where the Class I
24 base prices are on, for 2015, I'm sorry, 2014, where they are
25 on your chart of tables, Exhibit 161?

1 A. They are on page 39.

2 Q. Okay.

3 A. And they are --

4 Q. What column?

5 A. Column Y.

6 Q. Okay. So Column Y of page 39. And I want to direct
7 your attention to the December 2014 number in column, in
8 Exhibit 161, Column Y. Could you tell us what that number is?

9 A. That is 22.66.

10 Q. And then looking at Exhibit 163, can you tell us what
11 the number is for December, 2014 an Exhibit 163?

12 A. 22.53.

13 Q. Okay. Can you explain why they are not the same or
14 what the difference is?

15 A. No.

16 Q. You mentioned Dr. Stephenson and the desire to have him
17 do some econometric modeling for you; is that correct?

18 A. Yes, that was a discussion that we had probably 18
19 months ago as Dairy Institute was formulating their initial
20 proposal.

21 Q. Did you -- and were you requesting him to do something
22 to do the USDSS type modeling that he testified to in this
23 hearing?

24 A. I believe that that was around his spatial equilibrium
25 model --

1 Q. Yes.

2 A. -- the one that not only shows you what the final price
3 is after the market's adjust, but shows you some of the
4 dynamics in between. So it's not the, it's not looking at the
5 regional price relationships so much as it is the longer term
6 market dynamics.

7 Q. And did you hear him present any information of that
8 nature in this hearing?

9 A. He did not present the information that we were
10 interested in.

11 Q. I understand that.

12 A. Which is -- my recollection, I was working from my
13 hotel at the time that he testified, but my recollection is he
14 was talking about relative price relationships geographically
15 in this hearing, as opposed to what a change in policy would
16 result in within the State of California.

17 Q. Well, I heard him testify that his modeling is economic
18 models and not econometric models, did you hear that?

19 A. That could have been a clarification, and I will not
20 dispute his characterization.

21 MR. BESHORE: Okay. Your Honor, I don't have anymore
22 questions at this time, but I may have, we may have some later
23 when we have continue to have a few minutes to evaluate this
24 and hear what other questions maybe asked of Ms. Taylor.

25 JUDGE CLIFTON: Who else has questions for Ms. Taylor?

1 Before I call on USDA employees to see if they have questions,
2 is there someone else who has questions for Ms. Taylor?

3 Mr. Schad.

4 CROSS-EXAMINATION

5 BY MR. SCHAD:

6 Q. Good morning, Sue.

7 A. Good morning, Mr. Schad.

8 Q. I wasn't here when you testified last time, and I asked
9 Marvin to ask you some questions, and quite frankly, he doesn't
10 remember whether he did, so at the risk of being redundant,
11 does Leprino have any independent dairy farmers in California?

12 A. We do.

13 Q. Okay. Is it true to say that the majority of Leprino's
14 milk is bought in California from co-op sources?

15 A. That's correct.

16 Q. Okay. Does Leprino pay independent and co-op supplies
17 monies above California minimum prices, premiums?

18 A. We do.

19 Q. Thank you.

20 JUDGE CLIFTON: I didn't quite hear your question, did you
21 ask above minimum prices? Is that what your question was?

22 MR. SCHAD: Yes.

23 BY MR. SCHAD:

24 Q. During the period of 2007/2008 and 2015, we have heard
25 testimony that milk was shipped out-of-state. Did Leprino ship

1 any milk from their independent supply, out-of-state?

2 A. No.

3 Q. There's been testimony that there was a capacity in
4 California during those periods that was not utilized, I guess
5 it is called willing capacity or unwilling capacity, that is,
6 plant capacity that could have been utilized except for initial
7 round price. Did Leprino have any such capacity during those
8 period that I mentioned?

9 A. There were some periods while I was over milk
10 procurement, where we made some decisions relative to the
11 marginal milk above contract that redirected milk that we
12 otherwise would have put into California to some of our other
13 plants. We always satisfied our contractual commitments. This
14 is on the marginal milk above those contracts.

15 Q. Would the answer be yes then?

16 A. Yes.

17 Q. Thank you.

18 JUDGE CLIFTON: I'll call on USDA, unless someone else has
19 questions first. USDA? Mr. Schaefer?

20 CROSS-EXAMINATION

21 BY MR. SCHAEFER:

22 Q. Good morning, Ms. Taylor, or is it afternoon, I haven't
23 looked at the clock here, so -- some of the questions
24 Mr. Beshore asked helped me out on what I had looked at last
25 evening. One of the issues or one of the things I noticed is I

1 tried to compute your component prices from the commodity
2 prices, and I got the commodity prices figured out all right,
3 because you had mentioned in your testimony that you had to add
4 in the adjustment factor, and so I got to the commodity prices.
5 But at least on Class III I'm not able to get the component
6 prices. And I think my question is, in Attachment A of
7 Exhibit 160 you list the component price, there's the formulas
8 for arriving at the component prices. And I the question I
9 guess I'm going to start with is, are those the formulas that
10 were used to calculate the component prices in your
11 Exhibit 163?

12 A. They should have been.

13 JUDGE CLIFTON: 161

14 MR. SCHAEFER: 161, I'm sorry. Yes, thank you, your Honor.

15 BY MR. SCHAEFER:

16 Q. And so, and those have the adjustments in them for the,
17 at marketing and I can't remember, administrative, and so
18 forth, and --

19 A. The marketing and administrative is embodied in the
20 make allowance, not in the underlying commodity price.

21 Q. Right. Correct. And but those are in there. And so
22 when we take this all back to Washington or to whoever is going
23 to do the analysis here, these are the formulas, then, that you
24 are, these are your final formulas at this point in time that
25 you are proposing that the Secretary adopt in Proposal 2?

1 A. I'm going to take one more look when you ask that
2 question, and ask Dr. Schiek to be reviewing at the same time.

3 JUDGE CLIFTON: We're looking at Attachment A to 160, and
4 Mr. Schaefer's question is, are these the final formulas
5 proposed under Proposal 2?

6 MR. SCHAEFER: Would it be beneficial to have a short break
7 here while they search for that, your Honor?

8 JUDGE CLIFTON: It would be. Before the break, though, is
9 there a disconnect between the two of you on how the make
10 allowance is considered? I don't know enough about it to even
11 know.

12 MS. TAYLOR: And Mr. Schaefer, if there's a concern that is
13 specific to a particular component, that would be helpful.

14 MR. SCHAEFER: Actually, it was the all the components with
15 regard to Class III. I did not really chase down some of the
16 other ones. I was getting a little glassy eyed, and when I get
17 glassy eyed, that's the end of it.

18 MS. TAYLOR: I don't know whether this might be helpful,
19 but I did prepare, just so that I could get comfortable with
20 the table, because as you know, there's a lot of data in that
21 spreadsheet. I prepared a reconciliation for Class III and IV
22 impacts that breaks it down by factor and does tie back to the
23 bottom line number. And we have made copies of that in case
24 you would like to see that.

25 MR. SCHAEFER: I think that would be quite helpful.

1 JUDGE CLIFTON: So let's take a break, and you can
2 determine whether you want to make that an exhibit, as you
3 discuss that with your team. Let's take, this is extremely
4 important. Let's take ten minutes. Please be back and ready
5 to go at 11:44. 11:44

6 (Whereupon, a break was taken.)

7 JUDGE CLIFTON: We're back on record at 11:45.

8 Mr. English?

9 MR. ENGLISH: Obviously, Mr. Schaefer was talking to
10 Ms. Taylor, but we talked about a document before going off the
11 record, which has now been distributed to everybody, I believe,
12 and it is headlined Reconciliation of Proposal 2 Dairy
13 Institute Class III and IV impacts.

14 JUDGE CLIFTON: I am going to mark that as Exhibit 164.
15 164. Will that work, Ms. May?

16 (Thereafter, Exhibit Number 164, was
17 marked for identification.)

18 JUDGE CLIFTON: Thank you. And, Mr. Schaefer, you have a
19 copy of this 164?

20 MR. SCHAEFER: Yes, I do.

21 JUDGE CLIFTON: All right. You may proceed.

22 BY MR. SCHAEFER:

23 Q. Okay. Could you kind of go through what Exhibit 164
24 contains here, Ms. Taylor, so we kind of get a handle on it?

25 A. Certainly. And again, the spreadsheet that generated

1 all these different tables was so massive that I wanted to
2 confirm that, in fact, my bottom line number on Class III and
3 IV impacts in the larger tables was attributable specifically
4 to things that I could identify. And so I dissected the
5 proposed changes in the formulas between the make allowance and
6 the price level. It's easier to, easiest to start at the top
7 relative to Class IV, because those component price formulas
8 are more straightforward, so you will see that in the top table
9 or top block within the table, I have Class IV, and I have
10 broken it by component into SNF and fat. And then within each
11 component I have broken it into make allowance and price
12 levels.

13 So starting with the SNF make allowance row, the
14 current Federal Order make allowance for nonfat dry milk is
15 16.78 cents, and our proposed factor is 20.12 cents, the
16 difference being 3.34 cents, which results in a reduction in
17 regulated price, so I'm showing it as a negative. And if you
18 take that 3.34 cent increase in the make allowance and multiply
19 it by the nonfat dry milk yield assumed within the solids
20 nonfat formula for Class III of .99, then you have a change in
21 the component price of .0031 cents. Multiply that by the
22 solids not fat assumed in a hundredweight of milk at standard
23 test of 8.685, that translates into an impact per
24 hundredweight, a reduction in the Class IV hundredweight price
25 of 28.72 cents.

1 On the price level, again, the Dairy Institute proposal
2 is to use a survey of western prices. If that is not
3 available, we have a default value of taking 2.44 cents off of
4 the national average of the NDPSR price series. So similarly,
5 multiplying that 2.44 cent reduction in price by the .99 yield
6 factor, brings you to the .0242 cents per pound SNF impact,
7 translating into 20.98 cents per hundredweight. So the SNF
8 combined impact of the change in the make allowance, and the
9 and price level, is a 50 cent reduction in the hundredweight
10 value of Class IV.

11 I went through that same process on the fat side, and
12 rather than going through all the individual numbers, I'll just
13 point out the numbers that don't appear. So I would be
14 extending the difference in make allowance or price level by
15 the yield factor of 1.211 found in the fat formula for
16 Class III. And then to translate from component to
17 hundredweight, multiply it by the 3.5 pounds of fat, and my
18 conclusion is there's a 10 cent reduction per hundredweight
19 related to the changes in the fat factors, for a total
20 reduction of 60 cents per hundredweight on the Class IV
21 hundredweight or, price, I believe that ties to the table.

22 Class III, I went through a similar practice, but as
23 you well know, Mr. Schaefer, we have some extra complications
24 in the Class III formula because we value fat at the butter
25 value, and then we make a correction for valuing it at butter

1 rather than cheese over in the protein price. And so I've
2 broken the protein portion of the Class III formula into
3 multiple pieces. The top section is the cheddar value of
4 protein, and that is within the protein equation, the front
5 part of it, where there's a yield factor of 1.383. So if you
6 look at the, I'll start with the cheddar value of protein make,
7 we have an increase in the make allowance of 3.03 cents
8 multiply that by 1.383, gets into a change of component price
9 of 4.19 cents. Translating then over into a change per
10 hundredweight of 12.54 cents. Similar process in that first
11 block on the cheddar value of protein for price level using the
12 1.383 yield.

13 The next several lines that start with cheddar value of
14 fat is the portion of the protein formula that corrects for the
15 difference in cheddar value of cheese versus the butter value
16 of fat, which is what we're paying for the fat component under
17 Federal Order pricing. So at the same logic applies, but the
18 cheddar value of fat part of that formula has a yield of 1.572.
19 And to translate between the fact that you are paying for 3.5
20 pounds of fat at the same time as you are paying for 2.99 and
21 some change of protein, there's that 1.17 factor, so for these
22 purposes I would have taken, under that make allowance line,
23 the 3.03 cents multiplied it by the yield of 1.572 and the 1.17
24 to translate into the change per pound component. And that
25 would have been the same methodology as you go all the way

1 through that shaded area through the credit for payment of fat,
2 and butter value, that's also, well, actually that one wouldn't
3 use the cheddar yield. It's the .9 times 1.17.

4 When you get to fat, same is the equation up above, the
5 1.211 yield. And when you get to the other solids, similar
6 logic in the yield embodied in the formula is 1.03. And so I
7 come down to the 86 cents, which ties closely to that table.

8 When I reviewed during the break, my price formulas in
9 the table, I did not have any concerns on their accuracy. I
10 will point out again, though, that we're using a block rather
11 than a block barrel combination cheddar price, and the one
12 other thing that we noted as we reviewed it, is that in the
13 formulas on page 5 of Exhibit 160, my testimony for Part 3, we
14 omitted the .15 cent marketing allowance and administrative
15 allowance in the WPC 34 equation relative to the make
16 allowance. It should be instead of the 3110, it should be
17 3125, and that was reflected in my spreadsheet formula.

18 Q. Okay. So basically the work that you have done on this
19 would use these formulas, except for, and the change on the
20 alternative other solids price, and so --

21 A. That's correct.

22 Q. Okay. A couple other questions while we are on this
23 is, we have got a number of different factors in here, and I
24 thought I might just take a minute to review them a little bit
25 so we're clear on what they are as we move forward.

1 So for instance, in the cheese in the protein price
2 formulation we have a .0224.

3 JUDGE CLIFTON: Mr. Schaefer, so that we can all look on
4 with you, are you looking at Attachment A to Exhibit 160?

5 MR. SCHAEFER: Yes, I am.

6 JUDGE CLIFTON: Okay.

7 BY MR. SCHAEFER:

8 Q. And that is to adjust the NDPSR numbers to a western
9 states value?

10 A. That's correct.

11 Q. And the .2306 is your make allowance, and I believe
12 those were the California make allowances?

13 A. They are the California make allowances, plus the .15
14 cents, consistent with the methodology that was used in the
15 October 2008 implementation from the '06, '07 hearing.

16 Q. And so for each one of the highlighted numbers on here,
17 for so, that you go on in the cheese formula you have the .0224
18 and the 2306, the same is true for those, of course. And we go
19 down to other solids, again, we have an adjustment for
20 location, I guess I'll call it, western states versus NDPSR.

21 A. That's correct. And in the liquid WPC alternative,
22 there's also the adjustment that was outlined in Dr. Schiek's
23 testimony relative to the transportation and cooling.

24 Q. And that's included in the --

25 A. That's included in the make allowance.

1 Q. In the 31?

2 A. 3125.

3 Q. 3125.

4 A. 3125, correct.

5 Q. I believe that's all I have at this time, Ms. Taylor.

6 Thank you very much. I appreciate the work that you have done
7 to put these numbers in and it's nice to have something there
8 to start from to work with from our point of view. Thank you
9 very much.

10 A. Thank you.

11 JUDGE CLIFTON: Who else has questions for Ms. Taylor?

12 This is the last call before redirect.

13 Mr. Beshore, you look frustrated. Is it because you
14 haven't had enough time to digest it all?

15 MR. BESHORE: That's correct.

16 JUDGE CLIFTON: I don't know exactly how we would handle
17 it, but Mr. Beshore, if you think of additional questions after
18 we have dismissed Ms. Taylor, bring them up and we'll figure
19 out what to do about it. All right? All right. Then,
20 additional questions. Ms. May?

21 MS. MAY: Did you want me to change that formula on page 5
22 of exhibit, or well it's attachment A of Exhibit 160 to include
23 the .15 cents? Ms. Taylor just talked about it.

24 JUDGE CLIFTON: All right. So Ms. Taylor, with regard to
25 the administrative allowance, did you want to make any change

1 to Attachment A to Exhibit 160?

2 MS. TAYLOR: Yes, I would.

3 JUDGE CLIFTON: Walk us through what you would like Ms. May
4 to write on the record copies.

5 MS. TAYLOR: I was a little too hasty piling up my
6 materials.

7 MS. VULIN: Could it be on page 5 of your written
8 testimony, Ms. Taylor?

9 MS. TAYLOR: Yes, it is. And under the Class III formula,
10 it would be the fourth formula down, starting with alternative.

11 MS. VULIN: Fifth formula down perhaps?

12 MS. TAYLOR: Yes, thank you. The fifth formula down
13 starting with alternative other solids price, at the end of the
14 second line, prior to the end parens, replace the number that's
15 .3110, with .3125.

16 JUDGE CLIFTON: Ms. May, good job.

17 MS. MAY: Thank you.

18 JUDGE CLIFTON: You're welcome. Ms. Vulin, you may
19 proceed.

20 MS. VULIN: Are there no further questions from anyone else
21 before I begin redirect?

22 JUDGE CLIFTON: Mr. Beshore?

23 CROSS-EXAMINATION

24 BY MR. BESHORE:

25 Q. Okay. With respect to the -- Marvin Beshore -- with

1 respect to the correction on the Attachment A, did I understand
2 you to say, Ms. Taylor, that that correction has already been
3 factored into the calculations in Exhibit 161?

4 A. Yes.

5 Q. Okay. So it is then already included in the numbers
6 that you gave us for Exhibit 162?

7 A. Yes.

8 Q. Okay. Thank you.

9 JUDGE CLIFTON: All right. At this time, are there any
10 other questions for Ms. Taylor before redirect? You may begin
11 redirect, Ms. Vulin.

12 MS. VULIN: It is very short and sweet, your Honor, I would
13 just move to admit Exhibit 164, the reconciliation of
14 Proposal 2, Dairy Institute Class III and IV Impacts, that
15 Ms. Taylor has covered.

16 JUDGE CLIFTON: Does anyone wish to question Ms. Taylor
17 before determining whether you have objection? No one. Is
18 there any objection of the admission into evidence of
19 Exhibit 164? There is none. Exhibit 164 is admitted into
20 evidence.

21 (Thereafter, Exhibit Number 164, was
22 received into evidence.)

23 MS. VULIN: Thank you, your Honor. I have nothing further.

24 JUDGE CLIFTON: Mr. Beshore?

25 MR. BESHORE: I would like to move the admission of

1 Exhibit 163. We will fill in the -- we will complete the
2 calculations for the new California Discount on Exhibit 162
3 when we have a Ph.D. who can do the arithmetic.

4 JUDGE CLIFTON: All right. Thank you. And you
5 represented, Mr. Beshore, that this is right off the USDA
6 Agricultural Marketing Service website?

7 MR. BESHORE: I did.

8 JUDGE CLIFTON: All right. Is there any objection to the
9 admission into evidence of Exhibit 163? There is none.
10 Exhibit 163 is admitted into evidence.

11 (Thereafter, Exhibit Number 163, was
12 received into evidence.)

13 JUDGE CLIFTON: All right. Is there any reason why
14 Ms. Taylor should not be permitted, not only to step down, but
15 to be excused? There is none.

16 Ms. Taylor, I know you are arriving at your meetings
17 late, I am very grateful for all the work you did and that you
18 stayed over. Thank you.

19 MS. TAYLOR: Thank you.

20 MR. ENGLISH: Your Honor, Chip English. I mentioned some
21 housekeeping matters. I am prepared, they are simple, they can
22 go anytime, I would rather we get Ms. Hancock's witness on the
23 record. I would just yield the floor so we can get through
24 today's testimony.

25 JUDGE CLIFTON: Very good. Thank you. All right, then. I

1 already have a copy of the testimony of Frank Otis. I would
2 like to give it our next number which I believe is 165. Do you
3 agree, Ms. May?

4 MS. MAY: Yes.

5 JUDGE CLIFTON: So please mark accordingly, testimony of
6 Frank Otis, Exhibit 165.

7 (Thereafter, Exhibit Number 165, was
8 marked for identification.)

9 JUDGE CLIFTON: Welcome, Mr. Otis.

10 MR. OTIS: Thank you, your Honor.

11 JUDGE CLIFTON: Do you want to testify as a panel?

12 MS. HANCOCK: Yes.

13 JUDGE CLIFTON: Is there anyone who needs a copy of 165
14 which is entitled Testimony of Frank Otis? It appears everyone
15 has one.

16 I'm going to swear you both in, gentlemen, at the same
17 time. I'll be swearing you in seated, and when I ask you to
18 respond, I would like you to tell me what your name is before
19 you give me the response, and to take turns. I suggest
20 Mr. Otis go first.

21 Would each of you raise your right hand, please?

22 Does each of you solemnly swear or affirm under penalty
23 of perjury that the evidence you will present will be the
24 truth?

25 MR. OTIS: I do. Frank Otis.

1 JUDGE CLIFTON: Thank you.

2 MR. LUND: Dennis Lund, I do.

3 JUDGE CLIFTON: Thank you both. And Ms. Hancock, if you
4 would identify yourself again and then you may proceed.

5 MS. HANCOCK: Nicole Hancock with Stoel Rives, representing
6 the California Producer Handlers Association.

7 DIRECT EXAMINATION

8 BY MS. HANCOCK:

9 Q. Good morning, gentlemen.

10 Mr. Otis, did you prepare this statement?

11 A. I did.

12 Q. Okay. If you wouldn't mind, go ahead and read your
13 prepared written statement for the record.

14 A. Okay. My name is Frank Otis and I am the President and
15 CEO of Foster Dairy. I have brought with me Dennis Lund,
16 Foster Dairy Director of Cost Accounting who has been with
17 Foster Dairy for 28 years, and prior to that, with Knudsen for
18 twelve years. I am here to testify about the Foster Dairy
19 producer-handler operations, and how for nearly 50 years Foster
20 Dairy has participated in the California quota system, which
21 has, since its inception in 1967, included a class of quota
22 called exempt quota, limited to producer-handlers. I offer
23 this testimony in support of the Cooperatives' Proposal
24 Number 1, as combined with the California Producer Handlers
25 Association Proposal Number 3.

1 I joined Foster Dairy in 2012, moving from
2 Philadelphia, Pennsylvania, where I ran a specialty cheese
3 company (Alouette USA) for five years. Prior to that, I was a
4 minority owner and operated a large butter powder company with
5 Dairy Farmers of America. I have worked in all segments of the
6 dairy business; cheese, ice cream, butter, culture, milk,
7 powder, for over the last 27 years. Time flies when you are in
8 the dairy business. I have a BA from Southern Oregon
9 University and an MBA from the University of Redlands. I have
10 been married to my best friend Ann for 28 years, and we have
11 two wonderful children, Ashley 26 and Ryan 21.

12 JUDGE CLIFTON: Let me stop you for just a moment. The
13 second sentence of the paragraph you just completed reading on
14 page 2, reads as present, "prior to that I owned" and you read
15 it differently. How would you like it to read in this exhibit?

16 MR. OTIS: I would like it to be read, "prior to that I was
17 a minor owner and operated a large butter/powder company with
18 DFA."

19 JUDGE CLIFTON: Ms. May, can you make that correction,
20 please.

21 MS. MAY: Sorry, I missed it.

22 JUDGE CLIFTON: Okay. That's all right. You are on
23 Page 2, the second paragraph, line 3. You are going to strike
24 the word "owned" and insert "was a minority owner".

25 MS. MAY: That I "was a minority owner and operated"?

1 JUDGE CLIFTON: That I was, I guess we should say "I was a
2 minority owner of and operated" yes.

3 MS. MAY: Okay.

4 JUDGE CLIFTON: All right. Thank you. You may proceed.

5 BY MS. HANCOCK:

6 Q. Mr. Otis, if you could slow down just a smidge, I think
7 we're doing double-time on our court reporter today and so I
8 don't want to wear her out too soon.

9 A. I would be happy to.

10 Foster Dairy operates under a DBA called Crystal
11 Creamery for its plant side of the business dating back to
12 1920's. Our dairy farms are operated under a separate entity
13 called Foster Farms Dairy, which was originally founded in 1941
14 by Max and Verda Foster. The same family still owns and
15 provides oversight of the business today, which sells branded
16 products under the name of Crystal Creamery and Humboldt
17 Creamery. Today, Foster Farms dairy has five separate farming
18 and milking sites in Hickman, California.

19 Our administrative offices and five processing
20 facilities are located in Modesto, California, and two other
21 processing facilities in Fernbridge (Humboldt County),
22 California. Crystal Creamery distributes its manufactured
23 dairy products from eight distribution centers covering the
24 Central Valley and Northern California markets. We manufacture
25 and sell fluid milk, cultured sour cream, cottage cheese, ice

1 cream, butter, nonfat dry milk powder, cream, as well as fruit
2 drinks and water. About 45 percent of our processed dairy
3 products is Class 1 fluid milk.

4 Our production plant purchases 15 percent of our total
5 raw milk supply from our own farms. We purchase approximately
6 75 percent of our raw milk needs from 19 independent producers
7 in California.

8 Q. Did you say 75 percent?

9 A. 75 percent, yep. The remaining 10 percent we purchase
10 from different milk brokers. Of the 15 percent that is
11 produced at our farms, approximately 56 percent is exempt
12 quota. That is, 18 percent of our total Class 1 -- that is 18
13 percent of our total Class 1 production is exempt. That exempt
14 quota does not offer our plant any pricing advantage. The
15 entirety of our exemption benefit is isolated with our dairy
16 farms.

17 Our entities each have their own profit and loss
18 statements and they are separate legal entities. Our exempt
19 quota is on our dairy farm P & L and is calculated as a benefit
20 to the farm to our farm. Our production plant and commercial
21 operations do not receive any benefit from our exempt quota.

22 Our creamery (plant) pays all of the independent
23 producers the announced blend price for the milk. All
24 processors ultimately pay the particular plant in plant blend
25 rate through the CDFA pool system to their producers. The

1 amount we pay is based on how we use the milk, calculated
2 through the pool system that is blended and distributed to
3 producers. When our plant (creamery) pays our farms, we pay
4 the Class 1 rate for exempt quota volumes that our farms
5 produces and deliver to our plant.

6 The reason that we pay the rate to our farm -- the
7 reason that rate -- the reason we pay that rate to our farms is
8 because the volume is exempt from the pool system at the
9 Class 1 rate, so we receive a credit from the pool for the
10 Class 1 value that is the exact same as what we pay our farms.
11 Our farms will realize the benefit, and the creamery pays the
12 same rate as if it acquired the milk from any other source. In
13 sum, our creamery pays the same price regardless of whether we
14 get the raw milk from our farm, from our independent producers,
15 or from our milk brokers.

16 Foster Farms dairy has specifically structured its
17 family-owned business in a way that preserves its exempt quota
18 holding since the quota system was created in 1967. This
19 family ownership structure includes the investment of hundreds
20 of millions of dollars in capital spending in the dairy farms,
21 processing facilities, and distribution centers over the last
22 50 years. In doing so, Foster Dairy established business
23 relations with thousands of retailers with the goal of
24 promoting and selling dairy offers to millions of Northern
25 California consumers and beyond.

1 Foster Dairy, under the leadership of Max Foster, was a
2 key participant in the negotiations with the state legislators
3 in the establishment of the Pooling Act of 1967. His
4 participation resulted in all California producers securing
5 fair distribution of the monies that they received for the milk
6 that they farmed. In these negotiations, which resulted in the
7 1967 Pooling Act, the Producer-Handlers, of which Foster Dairy
8 was the largest, gave away significant advantages as a dairy
9 farming and processing company. In exchange for this support
10 of the 1967 Pooling Act, Foster Farms Dairy was given initial
11 exempt quota in the 1967, in 1967, based on its Class 1 fluid
12 sales at that time. The exempt quota, even back then, was an
13 asset that was booked for our farm.

14 Over the decades to follow, Foster Farms Dairy exempt
15 quotas increased with the California Legislators' 1978
16 amendment. This particular amendment provided all
17 producer-handlers the opportunities to convert any regular
18 quota between 1967 and 1977 to exempt quota, in which Foster
19 Farms Dairy participated.

20 JUDGE CLIFTON: I would like you to read that sentence one
21 more time, please.

22 MR. OTIS: Okay. This particular amendment provided all
23 producer-handlers the opportunity to convert any regular quota
24 purchased between 1967 and 1977 to exempt quota, in which
25 Foster Farms Dairy participated. With the 1993 amendment, any

1 regular quota purchased from 1978 through 1993 was converted to
2 exempt quota, and the Option 70 producer-handlers were able to
3 purchase additional quota until March of 1995. Again, Foster
4 Farms Dairy invested further into exempt quota and continued,
5 and continued to maintain the benefit at the farm level. The
6 exempt quota and the regular quota were given to producers to
7 protect from the further dilution of their Class 1 markets.

8 Foster Farms Dairy has spent several million dollars to
9 acquire exempt quota on just the 1993 amendment alone. Since
10 March of 1995, there has been no further allowances of
11 additional exempt quota and these exempt quotas remain frozen
12 with the 1995 volume that each producer-handler had at that
13 time. Although these exempt quotas cannot be sold, they do
14 represent the measurable financial asset to Foster Farms Dairy,
15 which today, has a value totalling millions of dollars on the
16 Foster Farms Dairy balance sheet. In addition to the value
17 listed in the Foster Farms balance sheet, the cost of
18 maintaining exempt quota has been considerable for Foster Farms
19 Dairy, including the additional cost related to foregoing
20 strategic business opportunities, in favor of maintaining
21 exempt quota eligibility. Note that the asset is held by our
22 dairy farm side of the business, and all value of the exempt
23 quota is within the dairy farm side as well. Foster Farms
24 Dairy does not own regular quota, it holds all of its producer
25 benefits as exempt quota.

1 MS. HANCOCK: I think there's a typo there on exempt.

2 JUDGE CLIFTON: Shall we just --

3 MR. OTIS: Oh, yeah, there's a P missing.

4 JUDGE CLIFTON: All right. So Ms. May, we are just going
5 to re-spell exempt, it's the third line, fourth line up on
6 Page 5. Thank you.

7 MR. OTIS: Like I mentioned, our farm is the entity that
8 receives the exempt quota as an asset that is identified on our
9 balance sheet as a "milk pooling right". The quota is booked
10 as pounds of solid nonfat, which can be converted to
11 hundredweight. The value of the exempt quota is worth more to
12 my farms than just the booked value, as it is a legislative
13 value that was created to compensate us for the markets that
14 we, that were created when the exempt quota was issued and then
15 through the two subsequent amendments to increase exempt quota.

16 Exempt quota is a producer benefit. In this hearing,
17 exempt quota holders have been accused of using exempt quota to
18 disrupt the commercial marketplace by targeting customer bids
19 or somehow undercutting our competitors on price. This has
20 NEVER occurred. We have to be competitive, and be very good at
21 what we do, and do it as an efficiently as possible, but we
22 compete on a level playing field. We pay the exact same price
23 to our farm as we pay to other independent producers. Even
24 when the market is really good for our farm milk prices, we do
25 not use those benefits to cut costs at our plant or commercial

1 level. And when the farms are losing money, it does not impact
2 how we price, how I price my product. They are separate
3 entities.

4 Dean Foods has assumed that we have used a price
5 advantage from exempt quota, but they are wrong. Dean Foods
6 has suffered -- Dean Foods has not suffered at the hands of any
7 exempt quota. Yes, there was one national bid that we won
8 against Dean Foods, but it was not because of exempt quota. We
9 won that bid on a level playing field for our raw milk, for our
10 raw cost of milk. We competed on all the factors that Dean
11 Foods uses for its bid and won fairly. Dean Food has won more
12 bids against us, Foster Farms, than we have won -- than we have
13 one against them, and that is proof that we do not have any
14 pricing competitive advantage. In 2011 and 2013, Dean Foods
15 won two separate bids against Foster Dairy for a total of 15
16 million gallons per year. Adding that to the --

17 JUDGE CLIFTON: Let me stop you, 15 million gallons -- read
18 the rest of that.

19 MR. OTIS: I'm sorry.

20 JUDGE CLIFTON: 15 million gallons --

21 MR. OTIS: Of milk per year.

22 JUDGE CLIFTON: Thank you.

23 MR. OTIS: Yep. Adding that to the ten million gallons, it
24 should be milk, a year, that they took from Producer Dairy,
25 they have clearly exceeded what they claim we have taken from

1 them.

2 JUDGE CLIFTON: And before you continue, I'm going to ask
3 Ms. May to make that addition. We're at the bottom of page 6,
4 Ms. May, second line up. We're just going to add after
5 gallons, we're going to say, well, it is gallons of, we're just
6 going to add "milk per".

7 MS. MAY: Got it.

8 JUDGE CLIFTON: Thank you. And would you read that
9 sentence again, please, beginning with adding.

10 MR. OTIS: Adding that to the ten million gallons of milk a
11 year that they took from Producer Dairy, they have clearly
12 exceeded what they claim we have taken from them. Simply
13 stated, we have lost more bids to Dean Foods than we have won.
14 There is no advantage for our plant or in bidding on prices to
15 customers. All of the benefits of exempt quota stays with our
16 farm.

17 Exempt quota has been engrained in the California quota
18 system since its inception and indeed, it was necessary to
19 achieve the consensus that led to the adoption of the
20 California system. Exempt quota has been a win-win for all
21 involved, and has played a part in the significant dairy growth
22 that the State of California has enjoyed for decades. It is
23 for these reasons that Foster Dairy and Crystal Creamery
24 believe preservation of the quota system intact and recognition
25 of the value of the California quota necessary, including the

1 maintenance of both regular quota and exempt quota.

2 To be clear, the California Producer Handler
3 Association supports the Cooperative proposal. We are not
4 attempting to change or alter the proposed Federal Order
5 Producer-Handler definition, and we do not oppose creating a
6 producer-handler exemption for those that fit within the
7 criteria, even though we do not fit within the volume
8 limitations. We are seeking to preserve the treatment of our
9 exempt quota, along with the rest of the regular quota that
10 makes up the quota system, and we have proposed to include an
11 "exempt quota" definition to treat us as exempt quota holders
12 and avoid conflict with the producer-handler definitions in
13 Federal Orders. While we are proposing language through our
14 Federal Order language expert, we are flexible in the approach
15 and welcome help from the USDA to craft or modify the language
16 to accomplish our goals as outlined in this testimony.

17 Thank you for allowing me to testify before you today.

18 MS. HANCOCK: Your Honor, at this point I would move for
19 the admission of Exhibit 165.

20 JUDGE CLIFTON: Does anyone wish to question Mr. Otis
21 before determining whether you object? No one. Are there any
22 objections to the admission into evidence of Exhibit 165?
23 There are none. Exhibit 165 is admitted into evidence.

24 (Thereafter, Exhibit Number 165, was
25 received into evidence.)

1 MS. HANCOCK: Thank you, your Honor.

2 Mr. Lund or Mr. Otis, before I turn you over for
3 cross-examination by other parties or participants, is there
4 anything that you would like to add or comment on?

5 MR. OTIS: I think our statement said it all.

6 MS. HANCOCK: Okay. At this point, your Honor, I turn it
7 over for cross-examination.

8 JUDGE CLIFTON: Who would like to begin with questions for
9 Mr. Otis and/or Mr. Lund? If you have a question, you may
10 indicate the party that you would like to answer it, or you may
11 toss the question up and let them each respond if they would
12 like, however you would like to proceed.

13 Who would like to begin? Mr. English?

14 CROSS-EXAMINATION

15 BY MR. ENGLISH:

16 Q. Good afternoon, gentlemen. My name is Chip English.
17 I'm the Attorney for the Dairy Institute of California.

18 MR. OTIS: Good afternoon.

19 Q. So I'm just going to ask the questions, and whichever
20 one wishes to answer, answers. For the benefit of the court
21 reporter, certainly at least initially it would help if you
22 identify which of you is answering, but that's for her, not for
23 me, I'll realize who is answering, but the paper document has a
24 little harder time.

25 And I really don't have a lot of questions for you, but

1 I would like to start on page 6 Mr. Otis' testimony in the top
2 paragraph. And the discussion where "this was legislative
3 value that was created to compensate us for the markets that
4 were created when the exempt quota was issued." And I'm just
5 trying to understand what that sentence means. What markets
6 were created when the exempt quota was issued?

7 MR. OTIS: The Class 1 markets that we created back then,
8 the fluid milk markets that we promoted and created.

9 Q. Would they be the Class 1 markets that you already had,
10 is that what you meant?

11 MR. OTIS: Nope. It would be the Class 1 markets that, in
12 our farming and processing facility, that we created, went out
13 and got, and sold new customers with.

14 Q. Was that using the exempt quota to go get those
15 customers, is that what you mean?

16 MR. OTIS: No, we didn't have exempt quota then. Prior to
17 that, there was an advantage, obviously, to have your farm and
18 your processing facility together, and you were able to manage
19 your milk supply accordingly.

20 MR. LUND: Dennis Lund. I'll clarify. At the time the
21 exemption was developed, we did have farming, and processing,
22 and current Class 1 sales, and that's what the basis of the
23 quota and exempt quota was based on. And then it grew after
24 that, obviously.

25 Q. All right. That's what I thought. I was just -- fine.

1 I didn't want to get into semantics. So let me just ask, when
2 you pay the Class 1 rate to your farm, I understand that, of
3 course, CDFA audits the pounds, all your pounds are audited,
4 including the pounds from your farm that are both subject to
5 exempt quota and those that are not subject to exempt quota,
6 correct?

7 MR. LUND: Yes.

8 Q. But CDFA does not audit the dollars paid with respect
9 to the exempt quota, correct?

10 MR. LUND: In my experience, they have never asked about
11 the rate we pay.

12 Q. Okay. And if they haven't asked about it, they haven't
13 audited it, correct?

14 MR. LUND: They may have seen it but they didn't ask about
15 it.

16 Q. So now, I just was doing some quick math, and that can
17 be dangerous, especially on Day 36, it was dangerous on Day 35.
18 But when I see your numbers on page 3, and let me just use, for
19 simplicity, a hundred pounds. So as I read your testimony, and
20 I thank you for the detail, you are telling us that assuming
21 you had 100 pounds, 45 of those pounds are processed in the
22 Class 1 fluid milk, correct?

23 MR. LUND: Of all the milk processed, yes.

24 Q. So 100 pounds, yeah, to be clear, my 100 pounds is all
25 the milk processed by your fluid plant operation, correct?

1 MR. LUND: Yes.

2 Q. And in that case, 45 of the pounds are processed into
3 Class 1. And then you tell us that, and yes, I checked the
4 math, and yes, you are right, that 18 percent of your total
5 Class 1 production is exempt.

6 MR. LUND: That's an approximate number. It changes from
7 month to month, year to year, but on average that's about
8 right.

9 Q. So if you have 45 pounds total, then I would take 18
10 percent of that, which is something just south of 9 pounds?

11 MR. LUND: That would be right.

12 Q. Okay. So if you have, and I'm, again, simplifying the
13 math here, don't need to get too many decimals, I realize these
14 are hypotheticals, if you have 100 pounds and 45 of those are
15 Class 1, and you don't, and you are exempt on 9, so that leaves
16 36 pounds that you do have to account to and pay for the pool,
17 correct? On the Class 1 side?

18 MR. LUND: That would be the portion that's, that is paid
19 as normal, as a normal producer would get.

20 Q. And by that you mean that those 36 pounds plus the
21 other 55 pounds, so we're up to 91 pounds obviously, on those
22 31 pounds, you both account to the pool and you pay farmers
23 minimum prices, regulated minimum prices that are audited by
24 CDFA and you contribute to the pool to the extent you have a
25 payment of the pool, correct?

1 MR. LUND: The number you came up with was 91 pounds out of
2 the 100?

3 Q. Yes.

4 MR. LUND: Yes, that's true.

5 Q. Okay. Now, I'm just curious, and I'm sure others may
6 have told you this and you, I just want to make clear you don't
7 have to give us confidential information, but given your
8 utilization and your exempt quota, except for what I would call
9 extraordinary events when you have price inversions and Class 1
10 is less than manufactured prices, do you, on those the 91
11 pounds, end up making some contribution to the pool each month?

12 MR. LUND: Ask the question again.

13 Q. Sure. So I'm trying to leave out months in which
14 there's price inversions that cause the Class 1 price to be
15 less than manufactured prices, so I leave those out of the
16 equation. Other than that, on these 91 pounds that we have
17 talked about that you do account to the pool, do you usually
18 pay into the pool on those 91 pounds, pay contribution into the
19 pool?

20 MR. LUND: I would say normally there have been times when
21 the pool actually owed us money.

22 Q. Right?

23 MR. LUND: But overall we pay according to our end plant
24 usage percentage by class, and comparing that to what we made a
25 basically a down payment to the producers for that milk,

1 generally we have to pay into the pool, yes.

2 Q. Okay. On page 5 of your testimony, in the second
3 paragraph near the end you have said that "the cost of
4 maintaining exempt quota has been considerable for Foster Farms
5 Dairy, including the additional cost related to foregoing
6 strategic business opportunities in favor of maintaining exempt
7 quota eligibility." And I'm really not asking you to tell me
8 specific opportunities, but I guess I'm asking generally, what
9 kinds of business activities or opportunities would an entity,
10 any PD, need to forego in order to maintain the status?

11 MR. OTIS: It would be any strategic alliance that would
12 involve releasing or the selling of ownership that would then
13 disqualify us for exempt holding.

14 Q. I'm a little slower today than I was yesterday, and a
15 little slower yesterday than I was the day before, so what you
16 are referring to there is the 95 percent common ownership rule?

17 MR. OTIS: Yes.

18 Q. So I'm just curious, I mean, I understand the benefit
19 to the farm, but if there's no benefit to the plant, why are
20 the PD's fighting so hard to keep the provision?

21 MS. HANCOCK: I didn't hear the end of that.

22 JUDGE CLIFTON: Why are they fighting so hard to keep the
23 provision?

24 MR. OTIS: Well, because it's going to my farms, and it's a
25 credit that nets out most of the time to be financial advantage

1 through our farm operations. So common sense would tell you we
2 would like to keep that.

3 MR. ENGLISH: Thank you. That's all the questions I have.

4 JUDGE CLIFTON: Who next has questions for this panel
5 either Mr. Otis or Mr. Lund or both? Mr. Beshore.

6 CROSS-EXAMINATION

7 BY MR. BESHORE:

8 Q. Marvin Beshore.

9 Gentlemen, I represent the cooperatives which have
10 brought forth Proposal 1 for this hearing, and I have just a
11 couple of questions. So just maybe a clarification here for
12 Mr. Otis. In the third line of your testimony you reference
13 working for an entity for twelve years, which is identified as
14 K-N-U-T-S-O-N. Now, there's been a bunch of testimony of
15 several items of testimony prior to this about a dairy
16 operation in California that was Knudsen, K-N-U-D-S-E-N, I
17 think. That's the company?

18 MR. OTIS: Yeah, Knudsen, yes, not Knutson.

19 JUDGE CLIFTON: Oh, we have got a misspelling?

20 MR. OTIS: We have a misspelling.

21 JUDGE CLIFTON: See? Mr. Beshore is amazing, isn't he? He
22 knows so much. All right. So Ms. May, page 2, third line
23 down. We're going to change the spelling of Knutson to
24 Knudsen, being K-N-U-D-S-E-N instead of what's there.

25 MR. BESHORE: Credit Dr. Erba for that, not me.

1 MR. OTIS: Thank you.

2 BY MR. BESHORE:

3 Q. Now, a couple of questions about your Foster Farms
4 Dairy. You say you have five separate farming and milking
5 sites in Hickman, California. What county is that?

6 MR. OTIS: Stanislaus County.

7 Q. Stanislaus, okay. And they are all in one location
8 there or general location?

9 MR. OTIS: General location.

10 Q. How many cows do you milk?

11 MR. OTIS: Approximately 5700.

12 Q. In aggregate?

13 MR. OTIS: Yes.

14 Q. Total, okay.

15 MR. OTIS: Milking cows.

16 Q. Yes. What -- are they state average production per day
17 or what's your average production per day, do you know?

18 MR. OTIS: I would say we're a little bit above the
19 average, I would say we are, you know, depending on the year,
20 anywhere between 85 and 90 pounds a day.

21 Q. That's very good production.

22 MR. OTIS: Yes, it is.

23 Q. Okay. With respect to your configuration that are
24 purchases, your own farm is about 15 percent of your supply,
25 you have 19 independent producers, for about 75 percent of the

1 supply. The other 10 percent you say is from different milk
2 brokers. Are you talking there about purchases of raw milk or
3 dairy commodities and milk?

4 MR. OTIS: No, this is raw milk and because of the school
5 influx, of school milk, you know, and summertime coming on. So
6 we balance about ten percent of our milk supply with a broker
7 that moves either our milk to somebody or helps us bring milk
8 in.

9 Q. Okay. And so you balance your supply through a broker,
10 and when you say ten percent, is that, that's then, on a yearly
11 total, that's about what, a --

12 MR. OTIS: That's about the average, yeah. It would be a
13 little heavier in certain times of the year, but of selling or
14 receiving.

15 Q. Okay. Do you buy any milk from cooperatives?

16 MR. OTIS: We have, sure.

17 Q. Okay. With respect to your 75 percent of your supply
18 to independent producers, do you pay then premiums over the
19 minimum, over minimum CDFA price?

20 MR. OTIS: We do.

21 Q. Do you pay premiums to the, your own farms as well?

22 MR. OTIS: We do. They all have the same quality bonuses
23 and incentives. All 19 independent and our five dairy farms.

24 Q. Okay. So are those -- are those quality and component
25 incentives based on, you know, like on component values --

1 MR. OTIS: It's estimated performance.

2 Q. If you can wait until I'm done. You anticipated the
3 question completely, but in order to have a good transcript
4 here, we need to only have one of us speaking at a time.

5 So are your bonus programs or premium programs based on
6 both component levels in the producer milk and somatic cell
7 count quality factors?

8 MR. LUND: Yes.

9 Q. How about rBST free, do you require rBST free milk from
10 your suppliers?

11 MR. OTIS: We do.

12 Q. And that is that your total supply?

13 MR. OTIS: It is.

14 Q. Okay. The three plants, or three processing, five
15 processing facilities, can you describe them just a little bit?
16 Where are they and what products do they process?

17 MR. OTIS: I can. If you can appreciate, we have five
18 processing facilities under one general roof in Modesto, so we
19 process fluid milk, ice cream, cottage cheese, powder, butter,
20 out of those facilities. We consider them separately,
21 obviously, processing facilities. And then we have two other
22 processing facilities under the, on the same land in Fernbridge
23 that we process ice cream and powder and fluid milk from.

24 Q. Do you make -- are any of your products organic?

25 MR. OTIS: Yeah, we do an organic product under the

1 Humboldt Creamery and some private label customers.

2 Q. Is that at the Fernbridge locations?

3 MR. OTIS: We actually produce organically certified
4 plant-wise in both facilities. A majority of our organic milk
5 supply comes from the Fernbridge, Humboldt County area.

6 Q. Is any of your own farm production organic?

7 MR. OTIS: They are not.

8 Q. On page 5, I think there's some discussion of quota and
9 how it was acquired and some of the limitations of it, and
10 there maybe, first of all, there was some testimony yesterday
11 from another one of your colleagues, and I asked him about how
12 the purchases of exempt quota had been acquired during the time
13 when you were allowed to purchase it. His testimony was that
14 it was basically purchases of regular quota which could then
15 become exempt quota in the hands of a producer-handler. Is
16 that Foster Farms' experience also?

17 MR. LUND: Yes, it's true.

18 Q. So the purchases pre-1995 I guess, were -- were just
19 off the regular quota market, if you will, by Foster Farms?

20 MR. LUND: Yes, it was no different -- well, it was regular
21 quota, but in our hands became exempt.

22 Q. And you could, if you chose to for any reason, sell the
23 quota back into the regular quota market also, correct?

24 MR. LUND: We could sell the quota, but then we would also
25 lose that exemption.

1 Q. I understand. You wouldn't own it anymore so you
2 wouldn't have the exemption. So is it the testimony, I guess
3 this is for either of you gentlemen, Mr. Lund, maybe you
4 directly handle some of the checkbooks and ledgers, is it your
5 testimony that on the basis of the actual financial
6 transactions on a monthly basis in your company, that funds are
7 paid for the quota to the farm entity the separate entity at
8 the Class 1 price?

9 MR. LUND: In the 28 years I have been there, yes, that's
10 the way we have paid it.

11 Q. Okay. And that's paid out in the same way as the other
12 85 percent of your milk supply. I mean, in the same sequence
13 and routine?

14 MR. LUND: Except that we no longer issue a physical check.
15 It's more of a journal entry within our financial system.

16 Q. From one entity to the other?

17 MR. LUND: That's true.

18 Q. Okay. I think those are all the questions I have right
19 now. Thank you very much, gentlemen.

20 JUDGE CLIFTON: Who next has questions for either Mr. Otis
21 or Mr. Lund or both? Mr. Richmond?

22 CROSS-EXAMINATION

23 BY MR. RICHMOND:

24 Q. Bill Richmond, USDA. Good afternoon, gentlemen. We
25 appreciate your testimony. Just a couple of quick questions.

1 You understand that the producer-handler provisions in the
2 existing Federal Orders are pretty different than the
3 producer-handler provisions that are in place here in
4 California currently?

5 MR. OTIS: We do -- I do.

6 Q. And do you understand that under the Proposal 1 and 2
7 from the Cooperatives and from the Dairy Institute, that they
8 would more or less align the producer-handler provisions under
9 the proposed Federal Order with those that currently exist?

10 MR. OTIS: The 1 and 2 proposal? Yes.

11 Q. And you are in support of Proposal 1?

12 MR. OTIS: With the caveat of 3 being incorporated inside
13 of it, yes.

14 Q. Okay. I guess what I'm asking is, there's potential
15 if, under adoption of that proposal, that you would, you would
16 no longer be a producer-handler, you would become a fully
17 regulated handler. And I guess you would be okay with that as
18 long as you were able to maintain your exempt quota?

19 MR. OTIS: I think the general statement would be, just
20 sitting here, I would say as long as we maintain what we enjoy
21 today, we would be okay with that.

22 Q. Okay.

23 MR. OTIS: But to make a general statement, I don't -- I
24 would have to see the language and --

25 Q. Okay. That's fine. I understand. That sounds good.

1 MR. LUND: Can I clarify the word enjoyment? I mean, we
2 made a sizeable investment for this as well, it's not something
3 that's just given to us.

4 Q. Absolutely. I understand. At the end of your exhibit
5 you note that you would, you're flexible in the approach and
6 welcome help from the USDA to craft or modify language to
7 accomplish your goals as clarified in the exhibit. As part of
8 that, would you be open to a, perhaps an audit, or some other
9 means of verifying that you are, in fact, paying your farm at
10 the Class 1 price?

11 MR. OTIS: Yeah. I will tell you that I would check with
12 the family first, but today I would have no problem with that.
13 We have nothing to hide. But I would -- would want to get the
14 family's okay with that.

15 Q. Okay. I think that's all we have. I appreciate it.

16 JUDGE CLIFTON: I have a question for either or both of
17 you. If I were trying to understand the value of quota, or the
18 value of exempt quota, how would I begin?

19 MR. OTIS: How do we qualify it or how would you -- because
20 it's listed, if you look at our P & L for our farms, you will
21 see a line that says "milk pooling rights" which is our quota
22 value. So there's a credit that's attached to that, usually.
23 Sometimes it can go the other way, but mostly it's a positive.
24 That shows that we earned X amount of credit in our farms for
25 that milk that was exempt. So it's a separate line that's in

1 our P & L. It is not blended into the revenue center.

2 JUDGE CLIFTON: So you are talking about your profit and
3 loss that's prepared monthly?

4 MR. OTIS: Yes.

5 JUDGE CLIFTON: And it shows the advantage that you had for
6 that month by not being involved in the payments into the pool?

7 MR. OTIS: Yes, it shows the, what we think it's an
8 advantage but what we earned over a period of time. It is the
9 exempt quota. It's, you say advantage, I say it's what we have
10 earned over a period of time, either by getting it in the
11 '67 legislative agreement, or buying it later on. So I
12 wouldn't call it an advantage, it's an earned exempt credit,
13 quota credit.

14 JUDGE CLIFTON: Now, your statement said that undervalues
15 it, that it's actually worth more than what your profit and
16 loss statement books it at. So, Mr. Lund?

17 MR. LUND: Just to clarify. Obviously buying quota is at a
18 higher rate than the natural blend --

19 JUDGE CLIFTON: Rather than talk to me, which I appreciate,
20 please talk to the microphone.

21 MR. LUND: Purchasing quota gives you 19 and a half cents
22 per pound total solids nonfat higher than the blend rate that
23 you would receive if you did not have quota. In our case, the
24 quota that is exempt, that would be the differential between
25 the quota rate and the current month Class 1 rate. That

1 differential changes from month to month, wildly I might add,
2 but over a period of time it averages out to be pretty much the
3 same number within 10 or 20 percent year over year. But we
4 identify the difference between what we would pay at a quota
5 rate, versus the Class 1 rate, and we identify that amount,
6 which is noted on the financials of the dairy farms. So we do
7 identify what that benefit is each month.

8 JUDGE CLIFTON: Now, we had some testimony that explained
9 that there are two ways to look at the value of quota, I'm just
10 talking about regular quota. And one is that income stream,
11 month after month after month, but another is just its asset
12 value, what it could be traded for, what it could be sold for.
13 Do you look at exempt quota similarly? And I guess I would ask
14 Mr. Lund.

15 MR. LUND: It is booked at what we paid for it. It doesn't
16 have any additional value on the books. It's booked at what we
17 pay for it.

18 JUDGE CLIFTON: We have no idea as all this evidence is
19 evaluated, what the Secretary of Agriculture will choose at
20 each juncture based on legal requirements and evidence and so
21 on, but if it were determined that exempt quota should be
22 treated like regular quota under a Federal Milk Marketing
23 Order, how should exempt quota holders be compensated, if
24 there's any mechanism to do that, for the loss that they would
25 incur by having their exempt quota converted to regular quota?

1 MR. OTIS: Boy, that's an excellent question, your Honor,
2 that I'm not prepared to answer today. I mean, honestly, that
3 would really take some consideration beyond a casual comment
4 here.

5 JUDGE CLIFTON: And I believe you probably value your
6 exempt quota as higher than regular quota; is that true?

7 MR. OTIS: Well, we don't own any regular quota, so your
8 question do we value our quota differently than quota owners,
9 regular quota owners?

10 JUDGE CLIFTON: Well, let's say you had an opportunity to,
11 let's say there was some regular quota for sale.

12 MR. OTIS: Uh-huh.

13 JUDGE CLIFTON: And you had the money to buy it, and
14 because you had the entity you do, it could become exempt quota
15 just by buying it.

16 MR. LUND: No, not anymore.

17 JUDGE CLIFTON: No? Not anymore. Okay. All right. So
18 suppose since 1995 you can no longer have it become exempt.

19 MR. OTIS: Precisely.

20 JUDGE CLIFTON: All right. So if you bought some regular
21 quota today, do you think you would regard it as equal in value
22 to exempt quota that you have held since 1995 or earlier?

23 MR. LUND: My question would be, how do you define value?
24 Financially on the books it would be whatever you pay for it.
25 Now, personally how we value it, we know it has more value than

1 regular quota. If we had regular and exempt quota, we know the
2 exempt is worth more to us as an income stream, but on the
3 books it would be valued the same.

4 JUDGE CLIFTON: All right. Who else has questions for
5 Mr. Lund, Mr. Otis? I don't see any other questions.
6 Redirect?

7 REDIRECT EXAMINATION

8 BY MS. HANCOCK:

9 Q. Nicole Hancock.

10 Mr. Lund, Judge Clifton was asking you about the value
11 what you have booked on the books for the exempt quota, and you
12 mentioned that you have the amounts identified on there that
13 are equal to what you paid for it; is that right?

14 MR. LUND: That's true.

15 Q. That's not -- you are not saying that's what the value
16 is if you were to calculate a value to the business overall,
17 are you?

18 MR. LUND: No. That, and that's not even the market value,
19 it's the purchase value.

20 Q. Okay. Can you help us have a better appreciation of
21 what, why you have booked what you paid for rather than the
22 market value for that exempt quota on the books?

23 MR. LUND: That's generally accepted accounting principles.

24 Q. Which is what you are governed by in keeping the books?

25 MR. LUND: That's true.

1 Q. Okay. And then speaking of books, when Mr. Beshore was
2 asking you about how you pay your farm for the milk that you
3 buy from your farm and you mentioned that it was a journal
4 entry, can you help us understand, do you operate two separate
5 legal entities at the administrative -- let me say that
6 differently. Do you provide administrative services for your
7 separate legal entities?

8 MR. LUND: There are some administrative services in
9 common, but there are administrative services separate at the
10 dairy and at the creamery.

11 Q. Okay. So when you say you make a journal entry, is
12 this just a paper transaction or is it actually money? Does it
13 actually change who is entitled to have those funds?

14 MR. LUND: It's a paper transaction. There's no money
15 transmitted between any entities.

16 Q. Do your -- is it an actual change of money though,
17 where your farm actually is the one that's entitled to those
18 funds instead of your creamery?

19 MR. OTIS: They would be if you had separate, if you had
20 separate funding sources or what have you. But it is the same
21 bank, it is the same accounts. So I mean, for example, this
22 hearing and the cost of defending our position here would be a
23 charge that we would charge to the farms. Okay? So it would
24 be an expense that would be charged to the farms.
25 Administrative handlings and activities that we provide to

1 farms, we charge them a charge. We don't send them a bill,
2 it's a journal entry to say, hey, we had the PD hearing which
3 cost us 30,000 this month, here is this charge to your farm.
4 So, I mean, there's no checks that are exchanging hands. That
5 would be, for us, Impractical.

6 Q. And how do you allocate your administrative costs
7 between your separate entities?

8 MR. OTIS: We agree upon it with the farm general manager
9 and say, listen, these are the services we're providing you,
10 and we're going to charge you X percent, and we review that on
11 an annual basis in case something changes dramatically as far
12 as the services that our administrative staff provides to our
13 farms. Because we don't want to duplicate our efforts in
14 administrative.

15 Q. So would that allow the plant at all to allocate any of
16 those benefits differently to take a price advantage that the
17 farm receives for the payment of that milk to allow as a
18 passthrough to its customers?

19 MR. OTIS: Listen, you could do what whatever you wanted
20 to, if you wanted really to move paper around, that's why I
21 think this gentleman asked about a possible audit and looking
22 at the books. I mean, I can tell you specifically that we do
23 not ever interfere with the price of our milk, and what our
24 commercial operation pays, and what our farm gets credit for.
25 We can't. Because honestly, I can't run my business based on a

1 credit from my PD handling that is not -- because it changes
2 all the time. That changes all the time. When I'm making
3 money in the farm, I can't start pouring into my commercial
4 operation. You just can't run a business that way. And that
5 is why we separate the two. But technically speaking, I think
6 that's the question and why somebody asked about the audit, is
7 could you? Absolutely. No, it is not against the law to do
8 that, if that's the question. But we don't and we never have.
9 And Dennis has been here 28, I have known Foster, the owner,
10 one of the owners, about it, he said we have always separated,
11 and that was Max's purpose. And I think we heard testimony
12 yesterday that that was similar.

13 MR. LUND: And in our bill of materials and our
14 calculations of cost of milk, we only use the class price plus
15 premiums, plus bonuses, plus assessments we pay in calculating
16 our milk cost. So there's no producer option, exempt option,
17 that plays into that calculation.

18 Q. So your manufactured costs for your plant, that is what
19 can be audited by the CDFA that you are accountable for
20 insuring that you are selling at or above that amount.

21 MR. LUND: CDFA is going to audit what we pay to the
22 producers, and even ourselves, basically, for the non-exempt to
23 make, and how we use the milk. That's what they audit. How do
24 you use the milk to make sure you are paying into the pool or
25 to the producers the minimum rates.

1 Q. Okay. Thank you.

2 JUDGE CLIFTON: Who else has questions for Mr. Otis and/or
3 Mr. Lund? I see none. Is there anything you would like to add
4 before you leave us?

5 MR. OTIS: Thank you for letting us out early. We
6 appreciate it.

7 JUDGE CLIFTON: I'm so grateful you were here and that you
8 have given us your statements. Very helpful. Thank you both.

9 Is there anything objection -- did I -- it is already
10 admitted. 165 is already admitted. All right. Now, it's
11 1:04. Why don't we take a stretch break and then I think we'll
12 have the producers that are here with Mr. Smith; is that
13 correct?

14 MS. HANCOCK: Do you want to do the 30-minute lunch break
15 now?

16 JUDGE CLIFTON: Is this a good time to do it?

17 MS. HANCOCK: Yeah.

18 JUDGE CLIFTON: All right. Then let us take just a half
19 hour. It's 1:05. Please be back and ready to go at 1:35.

20 (Whereupon, the lunch recess was taken.)

21 ---o0o---

22

23

24

25

1 THURSDAY, NOVEMBER 12, 2015 - -AFTERNOON SESSION

2 JUDGE CLIFTON: We're back on record at 1:37. Before we
3 continue with evidence, I would like now to take appearances of
4 those who are here who did not come to the podium this morning,
5 even if you are not testifying today. If you are testifying
6 another day or are otherwise participating, I would like you to
7 come forward now and enter your appearance.

8 MR. WHITCOMB: Thank you, Judge Clifton. I'm guessing that
9 I might have been one of those that you were perhaps suggesting
10 should appear. I will introduce myself. I'm Walter E.
11 Whitcomb, I'm the Commissioner of Agriculture Conservation and
12 Forestry for the State of Maine. And I'm here both, and will
13 have testimony to present tomorrow. I had no intention to
14 speak today so that's why I didn't come forward, again,
15 earlier. But I will offer some comments as part of the, on the
16 record tomorrow.

17 I have a personal interest and a professional interest.
18 I actually attended a number of you at all the Vlsack
19 proceedings in '09 and have an association with California,
20 Rob, back to walking around the fields of New England with Dick
21 Claus as he was buying cattle for Hilmar Cheese folks, so we, I
22 don't want to say I'm responsible for what happened, but we
23 have some association all across the country. Thank you for
24 the opportunity.

25 JUDGE CLIFTON: Thank you for being here. I'm delighted

1 that you are here and I'm glad that you will lend some
2 information to the hearing record for the Secretary's
3 consideration.

4 All right. To whom may I thank, send my thanks, give my
5 thanks, for the pizza that we just enjoyed, which saved us
6 about 45 minutes? And did the payment for the pizza come out
7 of -- let me make sure I have her name right --

8 Ms. de la Riva's pocket?

9 MS. de la RIVA: No, it did not.

10 JUDGE CLIFTON: Okay. I would like to know to whom we owe
11 our thanks?

12 MS. de la RIVA: Stoel Rives.

13 JUDGE CLIFTON: Stoel Rives? The law firm?

14 MS. DE LA RIVA: Yes.

15 JUDGE CLIFTON: Bless you, bless you, bless you. Thank you
16 so much. All right, then. I think we're ready for
17 Mr. Sparrow's testimony, am I correct?

18 MR. SMITH: Dan Smith. We're actually going to hear from
19 Mr. Williams. And I understand you were going to take
20 Mr. Williams and Mr. Sparrow; is that correct?

21 JUDGE CLIFTON: It is up to Mr. Williams and Mr. Sparrow.
22 It's easy for us to set up two microphones, if they would like
23 it testify together. Is that what you mean?

24 MR. SMITH: No, I just meant, what you said before lunch
25 was we were going to take both of them this afternoon. And in

1 that case, Mr. Williams is going first. That's all.

2 JUDGE CLIFTON: Oh, what you want to know from me is
3 whether Mr. Sparrow will come right after Mr. Williams?

4 MR. SMITH: Yes.

5 JUDGE CLIFTON: Yes, that's my plan, thank you. So
6 Mr. Williams is in the witness stand. I'm going to swear you
7 in in a seated position. If you will raise your right hand,
8 please.

9 Do you solemnly swear or affirm under penalty of
10 perjury that the evidence you will present will be the truth?

11 MR. WILLIAMS: I do.

12 JUDGE CLIFTON: Thank you. Even though you have already
13 given us your name and spelled it, would you do so again?

14 MR. WILLIAMS: I'm J. Everett Williams, E-V-E-R-E-T-T,
15 W-I-L-L-I-A-M-S.

16 JUDGE CLIFTON: Thank you. And when you say J. Everett
17 Williams, am I to write out the word Jay or the initial J.

18 MR. WILLIAMS: Initial J.

19 JUDGE CLIFTON: And you are known by Everett?

20 MR. WILLIAMS: Correct.

21 JUDGE CLIFTON: All right. Thank you. And I am seeing
22 that we have testimony of Everett Williams being distributed, I
23 believe, I will be marking this, Ms. May, as Exhibit 166; is
24 that correct?

25 MS. MAY: That is correct.

1 (Thereafter, Exhibit Number 166, was
2 marked for identification.)

3 JUDGE CLIFTON: So we'll pause until each person has a copy
4 of the testimony of Everett Williams. We're good. Mr. Smith,
5 would you identify yourself again, please?

6 MR. SMITH: Dan Smith, representing the Kentucky Dairy
7 Development Council, Georgia Milk Producers, Incorporated, and
8 the Tennessee Dairy Producers Association.

9 JUDGE CLIFTON: Thank you. You may proceed.

10 MR. SMITH: Thank you, your Honor.

11 DIRECT EXAMINATION

12 BY MR. SMITH:

13 Q. Mr. Williams, did you prepare the statement that has
14 been marked as Exhibit 146?

15 JUDGE CLIFTON: 166.

16 MR. SMITH: 166. My math is slow like Chip's, I guess, I
17 apologize.

18 BY MR. SMITH:

19 Q. Please proceed with your statement, Mr. Williams.

20 A. I appreciate the opportunity to come here today.

21 My name is J. Everett Williams. My family and I own
22 and operate WDairy, LLC. The farm's address is 1141 Broughton
23 Road, Madison, Georgia, 30650. I am also President of Georgia
24 Milk Producers, Incorporated, and am testifying today in this
25 capacity as well. Georgia Milk Producers address is

1 1641 New High Shoals Road, Suite 5, Watkinsville, Georgia
2 30677.

3 I am a graduate of University of Georgia with a
4 Bachelor of Dairy Science Degree in Agriculture. After
5 graduation, I managed a dairy operation in Southern Georgia
6 from 1975 to 1978. I returned to the family farm in 1978.

7 My father, John E. Williams, started the farm in 1958.
8 At the time of my return, the dairy consisted of 90 milk cows,
9 400 acres, and one employee. WDairy has since grown to its
10 current size of 1800 milk cows, 1827 head of young stock, and
11 3600 hundred acres of owned and rented land. The operation has
12 27 full-time and two part-time employees.

13 My two sons, Justin and Daniel, returned to the farm
14 following their graduation from University of Georgia in 2005
15 and 2007. Justin oversees the cropping operation and Daniel
16 oversees the livestock side of the operation.

17 It's a typo on this next one, it was in 2012.

18 JUDGE CLIFTON: All right. Ms. May, do you see the
19 reference to 2002? We'll just make that 2012.

20 MS. MAY: Got it.

21 JUDGE CLIFTON: Thank you.

22 MR. WILLIAMS: In 2012, a new 72-stall rotary parlor and a
23 third freestall barn were built to accommodate the increased
24 herd size and to replace facilities that had been in use since
25 1958. No longer dependent on milk tanks, the dairy direct

1 loads milk into milk tankers and has reduced milking time from
2 24 hours a day to 18 hours a day. Fans and misters in the
3 freestall barns contribute to cow comfort and reduce the effect
4 of heat stress on the herd.

5 All forage crops are grown on the farm and fed in the
6 form of silage. In 2014, we harvested 29,000 tons combined of
7 corn, rye grass, and sorghum. Close attention is paid to
8 ration analysis to aid in milk production and cow health.
9 No-till and irrigation is used to improve crop production and
10 manure is recycled by applying it to crop land to improve soil
11 productivity.

12 The dairy also has an integrated recycling program.
13 Sand is used and recycled for freestall bedding, lagoon water
14 is recycled for flushing barns and irrigating crops, well water
15 is used to cool the milk and then goes to the cow water
16 troughs.

17 In sum, paying attention to detail, researching new
18 ideas and the willingness to try new concepts has allowed the
19 dairy to grow and improve.

20 As I indicated at the outset, I am the President of
21 Georgia Milk Producers, Incorporated, and am here testifying in
22 this capacity. I am a member of the Board of Directors for
23 Cobblestone Milk, although I am not testifying on behalf of
24 Cobblestone. I am also a Veterinary Advisory Board Member for
25 the University of Georgia of Veterinary School.

1 Georgia Milk Producers is a producer-funded
2 organization located in Watkinsville, Georgia. Georgia dairy
3 producers vote by referendum every three years to maintain
4 Georgia Milk's operation. Producers pay a one cent per
5 hundredweight assessment to enable Georgia Milk to operate
6 communication, promotion, and education programs.

7 Georgia Milk's main objective is to educate dairy
8 producers, the public, and governing officials on all issues
9 affecting Georgia's dairy industry. These include legislation,
10 environmental regulations, animal health and milk pricing. In
11 the last category, milk pricing, Georgia Milk works to be
12 directly involved in Federal Orders processes that affect
13 Georgia producers.

14 Georgia Milk has a 16-member Board of Directors
15 representing the ten Georgia Milk and American Dairy
16 Association districts in Georgia. All directors are dairy
17 producers who ship to either the Dairy Farmers of America,
18 Maryland-Virginia Milk Producers, Lonestar Milk Producers, or
19 Southeast Milk, Incorporated, Cooperatives. Each director is
20 elected to serve on the Board of Directors by dairy producers
21 during Georgia Milk's fall district meetings. The Board
22 meetings are open to all Georgia producers.

23 Georgia Milk is a strong and vibrant organization
24 because Georgia itself is one of the major milk producing
25 states in the deep south. Georgia produces about 1.7 billion

1 pounds of milk annually, and ranks 24th in milk production
2 nationally. Dairy is in the top 10 of Georgia's agricultural
3 commodities, annually contributing 1.2 billion to the state's
4 economy.

5 JUDGE CLIFTON: That's 1.2 billion what?

6 MR. WILLIAMS: To the state's economy.

7 JUDGE CLIFTON: Would that be \$1.2 billion?

8 MR. WILLIAMS: Yes.

9 JUDGE CLIFTON: Thank you.

10 MR. WILLIAMS: Along with favorable temperatures and
11 growing seasons, the state provides a supportive educational
12 and regulatory environment for agriculture and dairy farming.
13 Demand for milk has increased with the growing population of
14 the state and region. Georgia is home to three major milk
15 processing facilities which assure a stable in-state supply of
16 packaged milk for consumers. In addition, Georgia is an
17 important supplier of the large and substantially milk deficit
18 Florida marketplace, with almost half of Georgia's raw milk
19 production exported and utilized there.

20 Despite these advantageous marketing conditions, as
21 with dairy farming across this country, maintaining a
22 profitable dairy farm and working to promote the health and
23 growth of my state industry, is a constant uphill battle,
24 struggle. While we have relatively high classified minimum
25 prices in the southeast, it yet remains a challenge to be

1 assured of adequate producer pay prices and cash flows because
2 a significant amount of the higher prices is used to bring in
3 deficit milk and to balance the market.

4 Earlier in the hearing, Calvin Covington presented
5 testimony identifying that milk production in the Southeast
6 declined from 13.5 to 9.5 billion pounds between 1995 and 2014.
7 At the same time, according to Mr. Covington, fluid consumption
8 in the Southeast was 12.2 billion pounds in 2014. Milk
9 production for our region is thus, in deficit of 2.7 billion
10 pounds, which is almost 30 percent of fluid demand.

11 Our market, in other words, is in severe distress to
12 provide the required raw milk supply for the regions's Class I
13 fluid demand. According to Mr. Covington, "lower producer
14 prices and less milk make this challenge more difficult." I
15 certainly echo his opinion, as both a dairy farmer and as
16 President of our statewide producer organization committed to
17 maintaining and growing our local milk supply.

18 As is also common for dairy farmers across the country,
19 I strongly believe that farmers should support each other in
20 any effort to improve their market circumstance. From this
21 vantage point, I recognize that California dairy farmers have
22 petitioned for this hearing in order to improve the operation
23 of their regulated marketplace. From what I understand, the
24 California producers are seeking establishment of a Federal
25 Order because the California state regulation does not fairly

1 allocate market value between processors and producers.

2 Let me emphasize, therefore, that I support in
3 principle, the California producer's effort to adopt a Federal
4 Order to improve their market circumstances. At the same time,
5 however, I also believe the Department has a responsibility to
6 ensure that regulation devised to promote orderly marketing in
7 one market area should not cause detriment to producers in
8 another marketing area. Based on the information we have
9 received from the Department, I am concerned about the
10 possibility of such detriment being the outcome of this hearing
11 for my market in the Southeast.

12 Mr. Covington's prior testimony further cites the
13 Department's analysis indicating the potential negative impact
14 that all of the hearing proposals would have on producer
15 payments in the Southeast. While this information was already
16 received as part of his testimony, I would like to present it
17 again to emphasize its significance from my perspective as a
18 dairy farmer and as President of Georgia Milk Producers.

19 Basically, the proposal on the chart shows that in
20 Appalachians, the change in the blend prices go from anywhere
21 negative 4 cents to a negative 13 cents on average. In the
22 Florida Marketing Order, it goes anywhere from negative 1 cent
23 to negative 22 cents. And in the Southeast Order, it goes from
24 a negative 24 to a negative 26 cents.

25 In Georgia, the average farm has about 375 cows and

1 produces about 7.5 million pounds of milk annually, or about
2 75,000 hundredweight annually. According to the Department's
3 calculations, the average Georgia farm pooled on the Southeast
4 Order, would thus lose, on average, about \$19,500 per year.
5 For the year 2024, (which is the "Minimum" in Mr. Covington's
6 calculation), the projected loss is \$25,500.

7 On my farm, which is quite a bit larger, the average
8 annual loss would be 123,000, and the loss projected for 2024
9 would be 161,000.

10 Overall, for the state's aggregate milk production of
11 1.7 billion pounds or 17 million hundredweight, the average
12 loss would be just over 4.4 million, and the loss projected to
13 2015 would be 5.8 million.

14 JUDGE CLIFTON: Now, just so it's clear, all those figures
15 you gave us where you were talking about losses and so forth,
16 you were speaking in terms of dollars; is that correct?

17 MR. WILLIAMS: Yes.

18 JUDGE CLIFTON: All right.

19 MR. WILLIAMS: The other potential negative impact of the
20 different proposal is a decline in our region's milk
21 production. According to Mr. Covington's further review of the
22 Department's analysis, milk production would decline or at
23 best, remain flat under all of the different proposals. This
24 is understandable given the projected reduction in producer
25 prices.

1 As described above, Mr. Covington has indicated that
2 "lower producer prices and less milk" make more difficult our
3 challenge of providing an adequate supply of fluid milk for our
4 region. From the calculations provided above, it is quite
5 apparent to the producers in Georgia Milk Producers that all
6 the proposals being considered in this hearing would likely
7 cause even greater stress for our region if adopted in their
8 current form.

9 On behalf of Georgia Milk, I respectfully request that
10 the Department give careful consideration to this potential
11 negative impact from the establishment of a California Order on
12 the Southeast, as reflected in the Department's own analysis.
13 If further analysis confirms the likelihood of such a negative
14 impact from the proposals under consideration, adjustment must
15 be made to ensure that establishment of a California Order will
16 not harm our region, or other regions of the country.

17 Finally, I express my support for recommendation by
18 Mr. Sparrow regarding the follow up regulatory process. As
19 Mr. Sparrow proposed, at the least, if the Department is to
20 establish an Order of questionable impact on other regions, it
21 must ensure that a follow up regulatory process is in place
22 that will allow for far more timely adjustment to be made than
23 currently possible under existing order amendment procedures.

24 MR. SMITH: Does that conclude your written testimony,
25 Mr. Williams?

1 MR. WILLIAMS: Written testimony. I wanted to add a couple
2 of things. Basically, we're here today because the Kentucky
3 Dairy Development Council, and the Tennessee Dairy Producer
4 Association, and Georgia Milk Producers all started looking at
5 the analysis the Department put out, and how this possible
6 change would affect our prices. And we are definitely not
7 against California's developing an Order system, but we are
8 concerned about what effect it might have in the Southeast.

9 Also, when I look through the analysis, it's data in
10 there that does not make good sense to me. And I'm looking at
11 it on common sense and a real high, far distant level, not down
12 in the pennies. But basically, and I went to our local Market
13 Administrator office in Atlanta and presented a question and it
14 went to Washington, and I still haven't gotten anywhere with
15 it. And I talked to Mr. Clifford just awhile ago, and he says
16 he's going to find the problem for me. And I guess the bottom
17 line is, when you look at the two proposals, you have the co-op
18 proposal that's basically going to add a dollar to the pay
19 price in California, which should, and this is all in the
20 analysis, and that's going increase 540 million pounds of extra
21 milk. And of course that has repercussions all back over the
22 United States.

23 And if you look at the charts, they saying it is going
24 to lower the brim price in the Appalachian Order 13 cents,
25 Florida price Order 22 cents, and the Southeast 26 cent. But

1 then you look at the Institute proposal, and it basically
2 raises the California producer price about 10 cent, and that in
3 turn, according to the analysis, increases 60 million pounds of
4 production, which is not a lot of production. So therefore, it
5 only affects the Appalachian Order 4 cents, so that's 13 to 4
6 cents on that one. The Florida Order goes from 22 cents to 1
7 cent on those two proposal. But the Southeast Order stays 26
8 to 24, which just my simple common sense looking at it, it's
9 got to be wrong. And I can't find anybody to tell me I'm
10 wrong, but nobody can find the answer. So I really think
11 that's substantial, 'cause it really makes it look like all
12 these proposal has the same effect in the Southeast, which they
13 don't.

14 And I guess I'm really a strong supporter of co-ops,
15 and I think it is great we're moving forward with this type
16 hearing here. But it also concerns me that even with a strong
17 market like in California, and we have three co-ops that have a
18 vast majority of the milk, that we still need the Federal Order
19 system to be able to price milk and be fair. I think that
20 points out how much need it is in creating a level playing
21 field in the Federal Order system all across the United States.
22 And I guess that concludes what I have to say.

23 MR. SMITH: At this time, your Honor, I would move the
24 admission of Mr. Williams' statement, and then make him
25 available for cross-examination.

1 JUDGE CLIFTON: I need a little clarification. I don't
2 know if, Mr. Smith, perhaps you are the one to help me here.
3 Are the excerpts from prior evidence that are at the bottom of
4 page 3 and the top of page 4, from Ms. Steeneck's --

5 MR. SMITH: No, it --

6 JUDGE CLIFTON: -- document.

7 MR. SMITH: Excuse me, the paragraph immediately preceding
8 the tables indicates that they were presented as part of
9 Mr. Calvin Covington's testimony.

10 MR. WILLIAMS: And the data came directly out of the
11 46-page Department analysis.

12 JUDGE CLIFTON: All right. Thank you. That's helpful.
13 All right. Is there anyone who would like to question
14 Mr. Williams with regard to Exhibit 166 before determining
15 whether it should be admitted into evidence? No one. Is there
16 any objection to Exhibit 166 being admitted into evidence?
17 There are none. Exhibit 166 is admitted into evidence.

18 (Thereafter, Exhibit Number 166, was
19 received into evidence.)

20 JUDGE CLIFTON: Do you have questions of the witness,
21 further, Mr. Smith, or would you like to invite
22 cross-examination?

23 MR. SMITH: No, I -- Mr. Williams is available for
24 cross-examination.

25 JUDGE CLIFTON: Who would like to begin? Ms. Hancock?

1 CROSS-EXAMINATION

2 By MS. HANCOCK:

3 Q. Good afternoon, Mr. Williams. I'm Nicole Hancock. I
4 represent the California Producer Handlers Association and
5 Ponderosa Dairy.

6 I am just a little bit curious. The area where you
7 produce milk you said is in a milk deficit area?

8 A. Yes.

9 Q. Tell me what you mean by that.

10 A. Milk deficit in relation to the fluid needs of the
11 marketplace. We produce less milk than what the market needs
12 on a year-round basis.

13 Q. Okay. So you have plants that are asking for more milk
14 than what you can provide?

15 A. Yes.

16 Q. And have you been able to use that deficit situation in
17 order to increase the raw prices or the prices of your raw
18 milk?

19 A. Could you ask that again?

20 Q. Yeah. We have talked a lot in this case about supply
21 and demand, and I think the Dairy Institute or some of the
22 parties have suggested that if there's too much milk in the
23 market, that it, that that's what drives the milk prices down.
24 And so what I'm wondering is, is it your experience that since
25 you are in a deficit area, if you have been able to ask for a

1 premium price or an extra price for your raw milk from your
2 from your plants?

3 A. In years past we have had over order premiums that
4 co-ops have been able to negotiate with processors. Those over
5 order premiums have been drastically decreased in the last few
6 years because of the general, just general marketing
7 conditions.

8 Q. So it's fair to say that even though you are in a
9 deficit area, it doesn't really drive up your milk prices that
10 much?

11 A. No. Okay. Say it again?

12 Q. Yeah, sorry, we distracted you there. That was a ploy.

13 A. I thought so.

14 Q. So is it fair to say, then, that even if you are, even
15 though you're producing in a milk deficit area, it doesn't
16 allow you to ask for more money from your milk just because you
17 are producing in a deficit area?

18 A. You may ask for more money, but the negotiation appears
19 that we receive less over order premiums. And what we miss in
20 supplying the Southeast, we do not have any manufacturing, so
21 milk is not pulled out of manufacturing plants to supply fluid
22 plants when they need it, it has to be brought in. So
23 therefore, it's brought in a lot of times at a deficit from
24 what the plants will pay, so that lowers the premium for
25 everybody.

1 Q. I see. Okay. Thank you very much. That's all I have.

2 A. Okay.

3 JUDGE CLIFTON: Who next has questions for Mr. Williams?

4 Mr. Beshore.

5 CROSS-EXAMINATION

6 BY MR. BESHORE:

7 Q. Marvin Beshore.

8 Good afternoon, Mr. Williams. I represent the
9 Cooperatives here in California that have brought the
10 Proposal 1, and so we really appreciate support in principle
11 that you brought from the Southeast. I have just a couple of
12 questions maybe.

13 How many producers are there in Georgia, dairy farmers?

14 A. Approximately 230.

15 Q. And they are all members of Georgia Milk Producers, is
16 that the way that works? Or how does that work?

17 A. Yes.

18 Q. All right. Milk in the Southeast, you say Georgia's a
19 deficit area, but nevertheless, it's in your testimony, it's a
20 substantial percentage of the milk in Georgia is shipped down
21 into Florida, correct?

22 A. Correct.

23 Q. Okay. So why would that be? I mean, maybe you can
24 just explain a little bit how things work there in the
25 Southeast in terms of where the milk, where the milk goes, how

1 it's drawn.

2 A. Basically, you have plants in Florida that are short of
3 milk, there's not enough milk produced in Florida. So in most
4 Federal Order system, it dominoes down. Georgia milk moves to
5 Florida, and then, say, North Carolina milk moves into Georgia
6 to fill in. And a lot of the Georgia dairy industry has been
7 based on fulfilling the market in Florida.

8 Q. Okay. And is there under the -- scratch that. The
9 Cobblestone Cooperative, did you -- is that -- did you say you
10 are a member of Cobblestone?

11 A. I am a member.

12 Q. Okay. Yeah, but you were on the board, you are not on
13 the board, you are not speaking for them, but where are they
14 based? Where are their producers?

15 A. They have one producer in Georgia and the rest of them
16 are in Virginia and North Carolina.

17 Q. Okay. Yeah, and I know Mr. Covington spoke on their
18 behalf --

19 A. Right.

20 Q. -- when he was here earlier. So is their milk kind of
21 dominoed south out of Virginia for the most part, towards the
22 Carolinas and Georgia?

23 A. Cobblestone has a marketing agreement with
24 Maryland-Virginia Milk Producers, and wherever the sales are
25 needed, the Cobblestone milk moves, they use that milk to move

1 to fill in.

2 Q. Very good.

3 A. Cobblestone is a marketing co-op of larger producers,
4 and so they ship tractor trailer loads, so they are pretty
5 convenient, and they are strategically located to different
6 plants in the Southeast, so Maryland-Virginia and other co-ops
7 use them to fill in.

8 Q. So some of that milk, if it's trailer load, lots
9 produced on the farms, it travels a little easier than some of
10 the tankers that are assembled on the smaller farms?

11 A. Yes.

12 Q. Okay. And with respect to, you testified to the manure
13 recycling program in your own farm. Is that something that's
14 required by regulations in the State of Georgia, or is that
15 something that you have developed on your own initiative, or
16 can you just talk about that a little bit?

17 A. Okay. Basically, any large dairy these days have a
18 manure management plan. It's based on some rules the DPPA has
19 put out, and basically you account for all the nutrients your
20 cows put out in the form of manure, and you put it back on crop
21 land in a responsible manner that crops going to use that
22 manure and recycle and not have a pollution of groundwater or
23 runoff water.

24 Q. Okay. So that's, you know, those requirements are
25 generated initially through the U.S. EPA?

1 A. Yes.

2 Q. To your understanding?

3 A. But it is also a sustainable because it's a good
4 practice. You lower fertilizer cost by recycling.

5 Q. Okay. Very good. Now, you are on the Vet Board there.
6 Are you also a Veterinarian?

7 A. I am not.

8 Q. Okay. So that's a public or a dairy constituent
9 membership on the State Board?

10 A. Just another public service of trying to emphasize to
11 our local Veterinary School that food and animal medicine is
12 still important, not companion out.

13 Q. Very good. Okay. So just a couple of thoughts with
14 respect to the blend price impacts. With respect to the price
15 impacts that you have observed in, you know, in your testimony,
16 and that were reflected in the USDA study. Of course, that was
17 presented early in the hearing, there's been testimony about
18 it, and you may not be aware of some of the information that
19 has come to light. But is it correct that your understanding
20 is that the negative price impacts in the Southeast are
21 essentially a function of the Proposal 1 if adopted, generating
22 additional milk production in California, 500 or so million
23 pounds I think you indicated, and that's what would tend to
24 cause in an overall supply fashion, the prices to go down in
25 the Southeast?

1 A. That's my understanding. No more than my understanding
2 the Federal Orders of the other components. That's my
3 understanding.

4 Q. Okay. Well, so, so bad news for California producers,
5 but good news for you in the Southeast. The actual information
6 in record about production in California in 2014, which was the
7 first year of data, or which was, for which there was
8 projections in the USDA study, the actual production in
9 California was more than 2 billion pounds less than the
10 production assumed for the year 2014 in that USDA study. Were
11 you aware of that?

12 A. I was aware that California production has been
13 decreasing, especially this year.

14 Q. Right. Okay. And so this year, at the rate that it's
15 declining, it will decline another 1 to 2 billion pounds of
16 production this year in California, and that would tend to have
17 a more positive effect on prices going forward in the Southeast
18 if we got a lower base of production here in California,
19 wouldn't you think?

20 A. Yes.

21 Q. Okay. In fact, the decline in California this year
22 might be --

23 A. Yes.

24 Q. -- might be as much as the whole production in the
25 state of Georgia for the year.

1 A. Correct.

2 Q. Or something like that. Okay. Thank you very much for
3 coming and testimony.

4 JUDGE CLIFTON: Who next has questions for Mr. Williams?
5 Mr. Richmond?

6 MR. RICHMOND: Bill Richmond, USDA. Mr. Williams, we
7 appreciate you coming and wanted to let you know that we're
8 working on getting you some answers to your questions. Our
9 model has taken a lot of abuse, but we're working on it.

10 JUDGE CLIFTON: Are there any other cross-examination
11 questions before I invite redirect from Mr. Smith?
12 Yes, Mr. Beshore?

13 CROSS-EXAMINATION

14 BY MR. BESHORE:

15 Q. I'm sorry, just have one other question of possible
16 interest here. Are there producer-handlers or large
17 producer-handlers down in your markets that you are aware of?

18 A. Processors or producers?

19 Q. Producers that, producer-handlers, like, a process, a
20 farm that also packages and markets and so its own milk?

21 A. In Georgia there's not any except the very small ones,
22 they are just a few thousand pounds a day.

23 Q. Thank you.

24 A. That I know of.

25 JUDGE CLIFTON: Let's see, I wanted to make sure I got

1 down, Mr. Williams, when you were answering Mr. Beshore about
2 the environmental practices that you follow, and you mentioned
3 the rules of the, and I didn't know whether you were saying EPA
4 or whether you were talking about a Georgia entity that's like
5 that. It sounded to me like you said DPPA, which --

6 MR. WILLIAMS: No, okay. The way I understand it, we have
7 a little different situation in Georgia. EPA writes the big
8 rules, they turn it off to EPD, which is our state government
9 part. And then we really fortunate in the state of Georgia,
10 our EPD contracts with the Department of Ag to enforce the
11 rules and regulations. They inspect, they review our nutrient
12 management plan, best practices, and if they find an issue they
13 turn it back over to EPD for enforcement.

14 JUDGE CLIFTON: And who is it that does the inspection?

15 MR. WILLIAMS: The Department of Ag.

16 JUDGE CLIFTON: Oh, okay. That is good. And what is the
17 Georgia -- now, are you talking about Georgia Department of Ag?

18 MR. WILLIAMS: Georgia Department of Ag does the
19 inspection, they review your nutrient management plans,
20 anything you do with manure recycling of that type thing. If
21 they find a problem, if you do not correct it immediately, you
22 are turned over to EPD, and basically EPD comes to tell you,
23 you going to fix it.

24 JUDGE CLIFTON: Yes. And what would be the initials by
25 which you would know the Georgia Department of Agriculture?

1 What initials is that called by?

2 MR. WILLIAMS: DAG, Department of Ag.

3 JUDGE CLIFTON: DAG, Department of Ag.

4 MR. WILLIAMS: Right.

5 JUDGE CLIFTON: Okay. And EPD stands for what?

6 Environmental --

7 MR. WILLIAMS: Protection Division.

8 JUDGE CLIFTON: Division. All right.

9 MR. WILLIAMS: Georgia unit.

10 JUDGE CLIFTON: And that's the Georgia unit. Okay. Good.
11 That helps. All right. Mr. Smith, you may ask any additional
12 questions you have of Mr. Williams.

13 MR. SMITH: Mr. Williams, my only question is if you have
14 anything else to add. You've travelled a long way to get here,
15 so do you have anything you would like to say in closing?

16 MR. WILLIAMS: Getting to be a small fraternity of dairy
17 people. I mean, you see the whole group at the same place
18 every place you go just about. It is good to be here.

19 JUDGE CLIFTON: That's great. Well, let me ask you this.
20 You said that if issues arise because of what the USDA does
21 with regard to California, you would like some prompt attention
22 for those issues. Are there any current issues in your Federal
23 Milk Marketing Order that need addressing or is everything
24 going administratively properly?

25 MR. WILLIAMS: I don't know I need to answer that. I'm not

1 sure that I know anything particularly wrong, but I am always
2 under the impression everything can be improved on.

3 JUDGE CLIFTON: Yeah, I agree with you there. But you
4 didn't have any particular issues in mind, other than if some
5 arise; is that --

6 MR. WILLIAMS: That's correct. The idea is, if we have,
7 let's say the Department is wrong and it drops our price 50
8 cents, we think we ought to be an expedited hearing, we have
9 had in the past, to address those issues, that type thing. And
10 hopefully that's not the case.

11 JUDGE CLIFTON: Mr. Williams, anything further? Excuse me,
12 Mr. Smith, anything further from for Mr. Williams?

13 MR. SMITH: No, your Honor.

14 JUDGE CLIFTON: All right. And did you want to add
15 anything?

16 MR. WILLIAMS: No. Thank ya'll for your time.

17 JUDGE CLIFTON: All right. Thank you so much.
18 Mr. Smith, you may call your next witness.

19 MR. SMITH: I would like to hear from Richard Sparrow.

20 JUDGE CLIFTON: And Mr. Sparrow has come to the witness
21 stand, and we are distributing copies of Testimony of Richard
22 Sparrow, which I will mark as Exhibit 167. 167.

23 (Thereafter, Exhibit Number 167, was
24 marked for identification.)

25 JUDGE CLIFTON: All right. It appears that everyone has

1 one. Mr. Sparrow, I'll swear you in in a seated position and
2 you will have to get used to how close you need to be to that
3 microphone in order for it to sound good. And I suspect it
4 will need to be closer than you are now. Would you raise your
5 right hand, please?

6 Do you solemnly swear or affirm under penalty of
7 perjury that the evidence you will present will be the truth?

8 MR. SPARROW: I do.

9 JUDGE CLIFTON: Thank you. Please state and spell your
10 name.

11 MR. SPARROW: My name is Richard Sparrow. It's
12 R-I-C-H-A-R-D, S-P-A-R-R-O-W.

13 JUDGE CLIFTON: Thank you. Mr. Smith, you may proceed.

14 DIRECT EXAMINATION

15 BY MR. SMITH:

16 Q. Good afternoon, Richard.

17 A. Good afternoon.

18 Q. Did you prepare the statement that you are about to
19 present?

20 A. Yes, sir.

21 Q. Proceed with presenting your statement.

22 A. My name is Richard Sparrow. I am a dairy farmer in
23 North Central Kentucky. The address of my farm is 1800 Old New
24 Liberty Road, Owenton, Kentucky, 40359. And I'm President of
25 the Kentucky Dairy Development Council ("KDDC") an advocacy

1 group for the Kentucky dairy industry. The address of KDDC is
2 176 Pasadena Drive, Lexington, Kentucky, 40503.

3 I'm testifying both as a Southeast dairy farmer and as
4 President of KDDC. I am also speaking on behalf of the
5 Tennessee Dairy Producers Association and have worked in
6 collaboration with Everett Williams of Georgia Milk Producers,
7 Incorporated, in developing these comments.

8 I preface my testimony by expressing my strong support
9 for this Cooperative effort to join the Federal Order system in
10 order to achieve more orderly marketing conditions and more
11 equitable producer milk prices. In seeking these most vital
12 objectives, dairy farmers have always been, and always should
13 be, united to the extent possible.

14 Notwithstanding this heartfelt support, I'm compelled
15 to travel here and testify because of the potential negative
16 impact the Department's preliminary analysis indicated the
17 Cooperative proposal, as well as other proposals, would have on
18 the Southeast dairy industry. The Department's analysis shows
19 that the proposals would all lower producer prices in the
20 Southeast and have the related adverse impact on milk
21 production in our region. This would have a particularly
22 damaging impact for us, as the Southeast is already a milk
23 deficit region. As I am sure California producers can
24 understand, I must oppose establishment of a California Order
25 if it would cause such significant harm in our region,

1 notwithstanding the benefit it might provide for them.

2 On behalf of KDDC, therefore, we first ask that the
3 Department consider the impact that establishment of a
4 California Order would have on other regions of the country as
5 an essential factor in its decision whether to adopt the order.
6 Further, we ask that the Department not establish the Order
7 unless it concludes the Order will not reduce producer milk
8 prices in other regions of the country and/or milk production,
9 and so not cause adverse harm outside of the California
10 marketing area and milk shed. In the support of this
11 conclusion, the Department must be able to make express
12 findings and document that the evidence presented at this
13 hearing has overcome the Department's preliminary evidence
14 indicating the original proposals would reduce milk pricing and
15 production in the Southeast. If the Department chooses to
16 devise an alternative proposal, it must then find and document
17 that the evidence demonstrates this revised proposal will not
18 so harm the Southeast.

19 We sincerely hope that the testimony received will
20 allow for one of these outcomes so as to enable implementation
21 of the California Order. In addition to explaining my and
22 KDDC's concern prompted by the Department's preliminary
23 analysis, my testimony also identifies some further actions
24 KDDC believes the Department should take to enable that the
25 Order, if established, will avoid new or ongoing harm to the

1 Southeast.

2 In the alternative, if the Department concludes to
3 adopt a California Order with evidence still establishing that
4 it will lower milk prices in the Southeast and other regions of
5 the country, then the Department should include any such
6 affected producers as part of the producer referendum required
7 for final approval and implementation of the Order.

8 A little about my background. I graduated from
9 University of Kentucky with a degree in Animal Science in 1978.
10 After graduation, I worked for three milk marketing
11 cooperatives throughout the Southeast territory for 33 years.
12 At the start of my career and for a short time after
13 graduation, I was employed as a Field Man for Cincinnati
14 Cooperative Milk Sales Association, a small Southeast
15 Ohio-based Cooperative. In this capacity I worked directly
16 with dairy farmers help to coordinate delivery of their milk
17 shipments for processing. After Cincinnati Cooperative Milk
18 Sales merged with four other cooperatives, I became a Field
19 Supervisor for the resulting, consolidated, regional
20 cooperative, Milk Marketing, Inc. Promoted to Field Supervisor
21 for MMI, I supervised 14 field representatives.

22 I worked for MMI in this capacity for 20 years until
23 MMI merged with three other cooperatives to form the national
24 Cooperative, Dairy Farmers of America. With formation of DFA,
25 I became a Regional Manager. As a Regional Manager, I oversaw

1 two Field Supervisors and 18 Field Representatives. I also
2 conducted regional producer meetings and provided market
3 reports and milk pricing forecasts for our dairy farmer
4 members. As a Regional Manager, I was also responsible for
5 negotiating the contracts for milk sales from my region to our
6 processor-handler customers. I negotiated prices, including
7 over order prices, developed delivery schedules, and provided
8 ongoing customer service, in general.

9 After working for DFA from 1998 to 2011, I retired back
10 home to Owenton, Kentucky, to build and operate a new dairy
11 with my three sons. We milk 40 to 50 registered Brown Swiss.
12 We are members of DFA. Our milk is pooled in Federal Order 5
13 and shipped to the Kroger, Winchester, Kentucky plant.

14 I would add that I was raised in the dairy industry, so
15 my professional work experience. I have been part of the
16 industry all my life. My grandfather was the head cheese maker
17 at the Kraft cheese plant at my home plant in Owenton. I began
18 doing odd jobs at the plant when I was ten and worked at the
19 plant during my summers in high school, receiving raw milk in
20 cans, performing laboratory tests on milk and cheese.

21 During my lifetime, I have thus observed and
22 experienced the profound transformation and consolidation of
23 the processor and Cooperative sectors of the dairy industry,
24 both regionally and nationally. Kraft, of course, during this
25 time period, consolidated cheese processing plant capacity,

1 scattered across the country, moved all westward. Among other
2 consequences in shift in processing capacity provided a
3 significant basis for the truly remarkable expansion of the
4 California dairy industry. Not long after DFA was formed, so
5 as to provide a national Cooperative reach and marketing
6 capability for dairy farmers. And Land O'Lakes also greatly
7 expanded its operations out of the Midwest to both the East and
8 West Coast for the same purpose. Combined, these changes to
9 the industry's two core sectors have now led to this hearing
10 for the establishment of a new California Federal Order.

11 Amidst these national changes, my --

12 JUDGE CLIFTON: I would like to you read the headings.

13 MR. SPARROW: The heading, I'm sorry. Yes, ma'am. Yes,
14 ma'am.

15 Southeast Marketing Conditions and the Significance of Milk
16 Pricing

17 Amidst these national changes, my professional
18 experience working for the three dairy cooperatives revolved
19 around the continuously challenging effort to provide a fluid
20 milk supply for the Southeast region. In his testimony, Cal
21 Covington summarized our challenges as a milk deficit region.
22 He noted that the ten Southeast states now have an estimated
23 76.5 million people, or almost twice the population of
24 California. He further identified that fluid milk consumption
25 for this number of people requires 12.2 billion pounds of milk

1 supply, yet, milk production in the Southeast in 2014 was only
2 9.5 billion pounds, or a deficit of 2.7 billion pounds. When
3 balancing and standardization are considered, according to
4 Mr. Covington, the deficit of 2.7 billion pounds is more
5 properly understood as 4.5 billion. This deficit is more than
6 one-third of the total supply required.

7 Mr. Covington also described how to make up -- how to
8 make up for the deficit, we must import milk from other
9 regions, either in bulk or packaged form. In both cases,
10 transportation adds expense that must be borne by producers,
11 processors and consumers alike.

12 Mr. Covington's testimony provides the frame for my
13 work experience. On the one hand, with this deficit always in
14 mind, we in the Cooperative sector in the Southeast work
15 constantly to maintain the sustainability of our member farms,
16 member farmers, and also to grow their productive capacity so
17 as to be able to provide as much local supply as possible to
18 our processor customers. On the other hand, given the ever
19 present deficit, we simultaneously confront the additional
20 challenges presented by the need to import the required
21 supplemental milk supply.

22 The crux of this dual challenge is producer prices.
23 Higher milk prices make it far more possible to sustain and
24 grow our existing local milk supplies. Lower milk prices force
25 farmers out, and thereby increase the pressure and need to

1 import greater volumes of milk from away.

2 Additional Background -- The Kentucky Dairy Development Council

3 This brings me to my work with the Kentucky Dairy
4 Development Council, KDDC. Operating in a deficit market
5 actually represents a tremendous market opportunity. And the
6 structure of Kentucky's dairy farming segment holds promise for
7 expansion so as to take advantage of this opportunity.

8 Kentucky, of course, provides great commodity crops that can
9 support productive dairy farms. Kentucky has a relatively
10 large number of dairy farms in our state. 718 dairy farms
11 which ranks 12th nationally for licensed dairies. We produce
12 1.2 billion pounds of milk, ranking 27th nationally in milk
13 production --

14 JUDGE CLIFTON: Would you read that sentence again, please?

15 MR. SPARROW: Did I make a mistake?

16 We produce 1.12 billion pounds of milk, ranking 27th
17 nationally in milk production, yet we rank 42nd in milk
18 production per cow, and the average farm size is only 88 cows
19 per farm. We, thus, have a pretty good base with a lot of
20 capacity for growth.

21 KDDC was formed in 2005 to educate, represent, and
22 promote the interest of Kentucky dairy farmers, and to foster
23 an environment allowing for the growth of Kentucky's dairy
24 industry. This mission is being fulfilled by the development
25 and implementation of a number of programs to educate Kentucky

1 dairy farmers on business and production, agriculture practices
2 and to provide services that will enhance sustainability and
3 profitability, and increase productivity. KDDC also
4 concentrates on working to empower young people in pursuit of
5 dairy farming careers.

6 KDDC is a 501(c)(3) nonprofit, combined dairy farmer
7 and allied industry organization. KDDC's board consists of 20
8 members. Twelve are dairy farmers representing the dairy
9 farmers who reside in KDDC districts, the remaining eight
10 members are allied industry dues-paying representatives of the
11 other segments of the state's dairy industry.

12 KDDC has implemented a series of programs to promote
13 top quality local produced milk in four Kentucky consumers.
14 The umbrella program is Kentucky dairy improvement program,
15 KDIP, I which utilizes regional dairy consultants to provide
16 information and services to any dairy farmer in Kentucky. The
17 Market Incentive Leadership for Kentucky (MILK) Program was
18 developed with the specific objective of increasing local milk
19 production and quality. We also have the Young Dairy Producer
20 Initiative to provide leadership and management skills to
21 active farmers 18 to 45 years of age, and those interested in
22 breaking into the dairy business.

23 KDIP relies on four dairy consultants who work directly
24 with dairy farmers across the state. In addition to
25 administrating the three programs identified above, the

1 consultants bring awareness to producers of many other
2 available loans, energy development, and nutrient management
3 programs offered by local, state, and federal entities. The
4 dairy consultants work in cooperation with UK Extension
5 Specialists, Cooperative Extension Service County Agents,
6 Kentucky Department of Agriculture staff, and the wide range of
7 experts in the many fields touched by dairy farm operation.

8 I would like to specifically highlight the Market
9 Incentive Leadership for Kentucky, or MILK, Program. This
10 program provides direct incentives to Kentucky producers to
11 encourage increased production, and is one of the most dynamic
12 programs of its kind in the nation. While I am not yet able to
13 say the program has succeeded in turning our production
14 challenges completely around, the MILK Program has provided a
15 true ray of hope that this objective is attainable. The
16 benefits and success of this relatively new program, and the
17 potential adverse impact on its success suggested by the
18 Department's analysis are the primary motivations for my
19 appearance in this hearing.

20 The MILK Program's incentive premiums are drawn from a
21 grant received by KDDC from the State of Kentucky's
22 Agricultural Development Fund and matching funds provided
23 collectively by Kentucky's milk handlers. To receive the
24 premium payments, participating dairy farmers must increase
25 actual production of milk marketed by a required percentage

1 over an established yearly base, and their milk must meet or
2 exceed a set level of quality standards. Producers must also
3 participate in production testing, DHIA.

4 The program began in 2007. Since the program's
5 inception, \$5.6 million in the incentive premiums have been
6 paid to Kentucky dairy producers from December 2014. The
7 amount of milk produced by the milk program participants in
8 2014 was 562,061,145 pounds.

9 JUDGE CLIFTON: So the way that would look in the
10 transcript, correct me if I'm wrong, would be 562,061,145
11 pounds; is that right?

12 MR. SPARROW: I should have read it that way probably.

13 JUDGE CLIFTON: Well, it is easier, but all right.

14 MR. SPARROW: Yes, ma'am.

15 JUDGE CLIFTON: So it is more than 562 million pounds.

16 MR. SPARROW: Yes, ma'am.

17 JUDGE CLIFTON: All right. So I interrupted you, but why
18 don't you start with, I'm going to say more than 562 million
19 pounds, and have you finish the sentence. Which is just over
20 half of Kentucky's total annual milk production.

21 MR. SMITH: Could I just interrupt for a minute? Richard,
22 in the second sentence, you said, "since the program's
23 inception, 5.6 million in incentive premiums have been paid to
24 Kentucky dairy producers from," the but you meant so say
25 through.

1 MR. SPARROW: Through 2014.

2 JUDGE CLIFTON: All right.

3 MR. SPARROW: Thank you.

4 JUDGE CLIFTON: And just higher than that, if you would.

5 If you'd just go to the last phrase in the paragraph above
6 that, and you refer to DHIA. Tell me again what those initials
7 stand for?

8 MR. SPARROW: Dairy Herd Improvement Association.

9 JUDGE CLIFTON: Yes.

10 MR. SPARROW: That's the official records. There's a
11 national DHIA, this is Kentucky DHIA.

12 JUDGE CLIFTON: Excellent. All right. Thank you. So you
13 have now completed the paragraph that ends with "Kentucky's
14 total annual milk production", if you will pick it up from
15 there.

16 MR. SPARROW: Yes, ma'am. Even more significant, during
17 the cumulative time period of the program, 2007 to 2014, over
18 412 million additional pounds of milk has been generated over
19 base years' production. Utilizing the average FMMO mailbox
20 price per hundredweight of milk over this time, the additional
21 412 million pounds of milk has yielded -- I want to do it like
22 you said it -- \$82,409,768, was that okay -- of additional
23 revenue for Kentucky dairy farmers. The program has thus
24 leveraged the 5.6 million expenditure by a factor of nearly 15
25 times.

1 JUDGE CLIFTON: And that's 5.6 million dollars?

2 MR. SPARROW: Dollars, yes, ma'am. The milk program also
3 results in substantial transportation savings. The additional
4 412 million pounds of milk produced in Kentucky since 2007 has
5 displaced the need for the transport of over 8,240 tanker loads
6 of supplemental milk into the Commonwealth for processing.
7 Federal Order transportation credits subsidize handlers at or
8 near .005 per hundredweight per mile. For a 50,000 pound
9 tanker load of milk, this equals \$2.50 per mile. According to
10 the information received from the Appalachian Market
11 Administrator's Office, the average load travels approximately
12 400 miles to delivery in Kentucky. This equals a cost of about
13 \$1,000 per load. The milk program has thus saved 8,240,000 in
14 transportations costs alone.

15 JUDGE CLIFTON: So that's more than --

16 MR. SPARROW: Dollars.

17 JUDGE CLIFTON: \$8 million; that is right?

18 MR. SPARROW: Yes, ma'am.

19 JUDGE CLIFTON: And you have saved that during what period
20 of time?

21 MR. SPARROW: 2007 through 2014.

22 JUDGE CLIFTON: Wow, that's impressive. All right. So
23 let's go back up to the middle of that paragraph, the sentence
24 that says, "Federal Order transportation credits".

25 MR. SPARROW: Subsidize handlers at or near --

1 JUDGE CLIFTON: And let's talk --

2 MR. SPARROW: Is that 5 mil per hundredweight? If somebody
3 could help me with that. I think that's right.

4 JUDGE CLIFTON: I think that would be just right. Yes?
5 Okay.

6 MR. SPARROW: Okay. I should have said it that way. I
7 thought that but I didn't want to be corrected so I left it
8 alone.

9 JUDGE CLIFTON: No, I think that's good. 5 mil. In other
10 words, about half a cent?

11 MR. SPARROW: Okay.

12 JUDGE CLIFTON: Is that right? If a mil is a tenth of a
13 cent, would 5 mils --

14 MR. SPARROW: Half a cent per hundredweight. I think, yes,
15 ma'am. I think that's correct.

16 JUDGE CLIFTON: All right. Thank you. These programs have
17 had such impressive results in such a short period of time.

18 MR. SPARROW: We're proud of them.

19 JUDGE CLIFTON: I would think so. All right. I think we
20 have brought you to the next heading.

21 MR. SPARROW: Milk Pricing Concerns

22 JUDGE CLIFTON: Yes, please.

23 MR. SPARROW: With the same motivation, other states in the
24 Southeast have also implemented programs with the same
25 objective as the milk program. These programs, along with the

1 amendments to Class I differentials and pooling requirements
2 established by the 2007 FMMO hearing for the three Southeast
3 orders have resulted in a slight upward trend since 2010 in
4 milk production in the Southeast. It is critical to all
5 segments of the dairy industry in the Southeast, producer,
6 processors, and consumers, that this upward trend in production
7 continue to increase in order to provide for the fluid milk
8 needs of our market.

9 JUDGE CLIFTON: And we can just strike the "the" right
10 after "our"?

11 MR. SPARROW: Okay. Fluid milk needs of our market. Yes,
12 ma'am.

13 JUDGE CLIFTON: All right. Thank you, Ms. May. All right.
14 Now we're starting at the top of page 6.

15 MR. SPARROW: Again, milk prices are the key to all of
16 this. We are thus deeply concerned by the Department's
17 preliminary analysis which indicates that all the proposals for
18 a California Order will reduce Southeast producer prices.
19 KDDC's concern is that such a price reduction will offset the
20 gains we have made, particularly with the milk program, and set
21 us again, on a downward, rather than upward, trend in milk
22 production.

23 Here's a summary table of the Department's analysis of
24 the different proposals impact on the Southeast prices prepared
25 and presented by Mr. Covington. And you can see the average

1 minimum and maximums.


2 JUDGE CLIFTON: All right. And so what this is, it is a
3 little excerpt from an exhibit that we already have in
4 evidence, and it is showing projected changes beginning with
5 the year 2017 going through the year 2024.

6 MR. SPARROW: Yes, ma'am.

7 JUDGE CLIFTON: All right.

8 MR. SPARROW: Overall, the state's total annual milk
9 production of 1 billion pounds, or 1 million hundredweight, the
10 average loss caused by the Cooperative proposal would be just
11 over \$2.6 million annually. This would wipe out half the value
12 of production incentive payments that have been paid under the
13 milk program. This loss is projected to increase to \$3.4
14 million in 2024 (the projected "minimum" in Mr. Covington's
15 table).

16 Milk Marketing and Production Concerns

17 The Department's additional analysis confirms our
18 concerns about the likely impact that will result from this
19 reduction in producer prices.  stified, the
20 Department's analysis indicat, n will be
21 flat in the near future and decline over time. The
22 Department's Table 5 confirms his assessment with regard to the
23 Cooperatives' proposal. Here are the Department's calculations
24 of the impacts the Cooperatives' proposal would have on milk
25 production in the three Southeast Orders.

1 Milk production changes under the Cooperative proposal.
2 And again, the numbers are there, and that's also an excerpt.

3 JUDGE CLIFTON: All right. And just so we're clear, when
4 you refer to the three Southeast orders, you have got them
5 shown here, don't you?

6 MR. SPARROW: Yep.

7 JUDGE CLIFTON: Well, the table shows them.

8 MR. SPARROW: Right.

9 JUDGE CLIFTON: Tell us what the AP is?

10 MR. SPARROW: Appalachian Order, Federal Order 5; Florida
11 Order; Southeast Federal Order 7.

12 JUDGE CLIFTON: Which one is the Florida one?

13 MR. SPARROW: Florida, what is Florida's Order number? 6,
14 thank you.


15 JUDGE CLIFTON: Okay. Good. Thank you. All right. And
16 you may pick up then with your words below that Table B5.

17 MR. SPARROW: As may be seen, milk production is at best
18 flat throughout the region. For the Southeast, there would be
19 an accelerating decline, over time.

20 Proposed Department Actions

21 In my introduction, I stated that the Department must
22 account for the potential impacts that imposition of a
23 California Order will have on other regions of the country.
24 Again, on behalf of KDDC, I here ask that Department consider
25 the impact that establishment of a California Order would have

1 on other regions of the country as an essential factor in the
2 Department's decision whether to adopt the Order.

3 Further, we ask that establish the
4 California Order unless it co:  r will not
5 reduce producer milk prices in other regions of the country
6 and/or milk production and so not cause adverse harm to other
7 regions of the country. If the Department is to adopt the
8 Cooperatives' proposal or one of the other proposals, the
9 Department should be able to make express findings and document
10 that the evidence presented at the hearing has overcome the
11 Department's preliminary evidence, indicating the selected
12 proposal would reduce milk pricing and production in the
13 Southeast. If the Department is to devise an alternative
14 proposal, it should similarly make express findings and
15 conclusions ensuring that its revised proposed California Order
16 would cause no such harm to the Southeast.

17 JUDGE CLIFTON: All right. And that word you have got
18 there is actually ensuring; is that right? You would like the
19 Department to make express findings and conclusions ensuring?

20 MR. SPARROW: Ensuring. Yes, ma'am.

21 JUDGE CLIFTON: All right. You may continue.

22 MR. SPARROW: If the California Order may be so adopted, we
23 further propose that the Department include provisions that
24 anticipate the impacts that will be experienced in other orders
25 over time. I defer to the expertise of the Department and

1 others as to what these provisions might be, but here to
2 emphasize the Department must account for the Order's impact
3 over time rather than just its immediate impact.

4 In the alternative, it is also requested in my
5 introduction if the Department concludes to adopt a California
6 Order with evidence still establishing that it will lower milk
7 prices in the Southeast or any other region of the country,
8 then the Department should include those producers in these
9 other regions as part of the producer referendum required for
10 final approval and implementation of the Order.

11 BY MR. SMITH:

12 Q. Thank you, Mr. Sparrow. A couple of follow up
13 questions. First on page 4 of the statement, there's a
14 footnote describing, briefly describing Tennessee's milk
15 production. That footnote is attached to the end of the
16 paragraph that carries over from page 3 to page 4, after the
17 word "growth"; is that correct?

18 A. Yes, sir.

19 Q. And could you read the language in the footnote?

20 A. Yes, sir. Tennessee is similarly situated in the
21 marketplace with room for expansion. Tennessee produces 750
22 million pounds of milk, ranking 30th in milk production and
23 19th in a number of licensed dairies. At the same time,
24 Tennessee ranks 41st in production per cow.

25 Q. Next question, I'll refer you to the second paragraph

1 of your statement on the first page. You indicate that you're
2 speaking on behalf of the Tennessee Dairy Producers
3 Association. Is it correct to say that the recommendations
4 that are made on behalf of KDC would also apply as being
5 recommendations made by the Tennessee Dairy Producers
6 Association as well?

7 A. Yes, sir.

8 Q. My final question for you is, page number I may not be
9 able to find so quickly, but you mentioned the matching
10 payments that are made out of the Kentucky Agriculture
11 Development Fund?

12 A. Yes, sir.

13 Q. Could you just provide a little bit more explanation of
14 the Kentucky Agriculture Development Fund that's the source of
15 the payments?

16 A. I'll be glad to, because it's very unique. And you
17 mentioned that it impressed you. The Kentucky Agriculture
18 Development Fund was created by the tobacco master settlement
19 that Congress did 1999. At that point in time, there were
20 payments made to all Kentucky tobacco-based holders, and there
21 was a similar amount of money that was given to the states. In
22 the state of Kentucky, it was decided that the lion's share of
23 those dollars would come back to Kentucky agriculture to
24 diversify, to move away from the substantial impact of tobacco
25 had on our economy in the State of Kentucky as a farmer and

1 move into other things.

2 So it's unique in my perspective, of somebody that
3 raised tobacco, that now they are actually tobacco dollars that
4 are coming in, if you want to look at it this way, in
5 producer's milk checks, matched by the processors. And I,
6 that's what makes that program unique. And I appreciate you
7 making me say that.

8 Q. Is the match dollar for dollar?

9 A. It is, it is 50/50. Ag Development Funds, 50 percent
10 of producer, processor, handler, procurement agency, whether
11 it's DFA or Dean, they all participate, everybody that markets
12 milk in the state of Kentucky.

13 Q. So it is half --

14 A. If their producer qualifies, that is premium dollars
15 from that marketing organization, 50 percent, and then 50
16 percent is tobacco settlement money.

17 Q. So there are qualification requirements that you
18 described?

19 A. Qualification requirements are, producer must increase
20 the over base year of moves every year, so right now, in 2015,
21 we're competing against the average for 2013 and 2014, so it is
22 a rolling base, if you will. And ten percent gets you a dollar
23 a hundredweight on your growth production, and five percent
24 gets you 50 cents a hundredweight.

25 Q. And if you qualify --

1 A. And you have got to have the criteria as well. You
2 have to meet the quality criteria of each different procurement
3 agency.

4 Q. And then half the money --

5 A. It's what we call the premium program.

6 Q. Then half the money comes out of the state and half the
7 money comes out the industry?

8 A. Exactly right, yes.

9 Q. Thank you. Mr. Sparrow is available for
10 cross-examination.

11 JUDGE CLIFTON: All right. Let's see. Do you want to
12 admit his exhibit first?

13 MR. SMITH: Oh, thank you, Chip, yes, I would like to do
14 that. Move -- I wrote down the number this time, and so I move
15 the admission of Mr. Sparrow's statement, Exhibit Number 167.

16 JUDGE CLIFTON: Does anyone want to ask Mr. Sparrow
17 questions about Exhibit 167 before determining whether you
18 object? No one. Are there any objections to the admission
19 into evidence of Exhibit 167? There are none. Exhibit 167 is
20 admitted into evidence.

21 (Thereafter, Exhibit Number 167, was
22 received into evidence.)

23 MR. SMITH: And Mr. Sparrow is now available for
24 cross-examination.

25 JUDGE CLIFTON: Who will begin? Mr. English?

1 CROSS-EXAMINATION

2 BY MR. ENGLISH:

3 Q. Good afternoon, your Honor. Chip English. And I rise
4 actually for two reasons. One, to thank Mr. Sparrow and
5 Mr. Everett both for their testimony and for their gracious
6 accommodation so Ms. Taylor could get off the stand and catch
7 her plane today.

8 And second, with the unqualifiedly good news that 20
9 minutes ago, Judge Ishi took the case off the docket for
10 Monday. So we do not have a hearing on Monday.

11 JUDGE CLIFTON: We have a hearing here.

12 MR. ENGLISH: I'm sorry, we do not have a Federal Court
13 Hearing down the street, separate from this, and that's what I
14 meant to say. We do have a hearing here. Well, okay,
15 somewhere else, too.

16 JUDGE CLIFTON: Good. I'm so glad. That's really good
17 news. I hope whatever happened, that you and your clients won.

18 MR. ENGLISH: Well, we don't know.

19 JUDGE CLIFTON: You will know six months from now. Okay.
20 All right. That's great news. All right. Now, before -- I
21 know that Mr. Sparrow needs to go. I think we need at least a
22 five minute stretch break before further cross-examination. We
23 have been sitting quite awhile, let's not take very long, just
24 five minutes. Let's be ready to to go with cross-examination
25 questions at 3:00. 3:00.

1 JUDGE CLIFTON: We're back on record at 3:02. I'm happy to
2 report, no one can escape. Who will ask the first
3 cross-examination questions of Mr. Sparrow?
4 Mr. Beshore, thank you.

5 CROSS-EXAMINATION

6 BY MR. BESHORE:

7 Q. Marvin Beshore. Good afternoon, Mr. Sparrow.

8 A. Yes, sir.

9 Q. I represent the California cooperatives and we
10 sincerely appreciate your support for our proposal. I've just
11 got a question or two about dairying down there in Kentucky and
12 Tennessee. In Kentucky, do you still have some Grade B dairy
13 farms in Kentucky?

14 A. No, sir.

15 Q. No. How about in Tennessee?

16 A. I'm not sure about Tennessee. But there are none in
17 Kentucky.

18 Q. No more in Kentucky?

19 A. No.

20 Q. Very good, thank you.

21 JUDGE CLIFTON: Who next has questions for Mr. Sparrow?
22 Mr. Richmond?

23 CROSS-EXAMINATION

24 BY MR. RICHMOND:

25 Q. Bill Richmond, USDA. Thanks a lot for coming,

1 Mr. Sparrow.

2 A. Yes, sir.

3 Q. My name is Bill Richmond. I work with the Department
4 of Agriculture. Is just wanted to talk to you a little bit
5 about some of your requests for the Department on page 7.

6 A. 7?

7 Q. Yes, sir. So correct me if I'm wrong, but I think
8 basically what you are asking us to do, is if we do recommend a
9 California Federal Milk Marketing Order that's approved by
10 producers, if we are in some way able to predict the impact of
11 a California Federal Order on the rest of the country to
12 negatively impact producer pay prices or milk production
13 volumes, then we should -- should attempt to alleviate those
14 impacts?

15 A. Yes, sir, that's a hundred percent --

16 Q. Okay.

17 A. -- my belief and my statement.

18 Q. Okay. And I think you based a lot of the arguments on
19 the results of our preliminary economic impact analysis?

20 A. That's really all I have got to base it on. Yes, sir.

21 Q. So just to clarify for the record a little bit. What
22 this document is, it's a, it's the best tool that we have to
23 try to estimate and forecast the impacts of a change going out
24 to some point in the future. And so I wish we had a better way
25 of arriving at conclusions of what those impacts ultimately

1 would be, but we don't. And so, just, I would just suggest we
2 all try to keep that in mind when drawing conclusions about an
3 estimate.

4 A. You know, when -- when a weather forecaster is wrong
5 and I cut hay down and my hay gets wet, I go on and wait until
6 it dries up and I bale it. But your forecast would have much
7 more deleterious effect than that for a longer period of time,
8 not one crop of hay, but a whole year's milk production if it's
9 correct.

10 Q. We appreciate that.

11 JUDGE CLIFTON: Mr. Beshore?

12 CROSS-EXAMINATION

13 BY MR. BESHORE:

14 Q. So as time goes on, and days go on here, my memory gets
15 impacted. I have -- there was a question I meant to ask, I
16 forgot the first time.

17 Mr. Sparrow, at the very end of your statement you
18 request the Department provide a vote for producers in your
19 region with respect to this. Okay?

20 A. Yes, sir.

21 Q. So just assume with me, I know you are not a lawyer,
22 but that's not authorized under the law. Okay?

23 A. Well, my -- I'm not an attorney, and I'm proud to say
24 that.

25 Q. I guess I walked into that one, right?

1 A. However, I would question for you would be, why is
2 geography the only basis that you can vote on a Federal Order
3 within a certain geography? Why shouldn't any producer that's
4 impacted by this change, be able to vote on it? When the
5 Federal Order introduced a new price surface and changed
6 Class I differentials, that impacted every dairy farmer in the
7 United States and every dairy farmer was allowed to vote at
8 that point in time, Federal Order-wise. They could vote the
9 order out. You could vote the order out. So at that point you
10 could make a change.

11 Q. Are you -- okay. The reason why --

12 A. All I'm saying --

13 Q. The reason why vote's geographically limited is because
14 that's what the Congress said in the law?

15 A. I understand. But at that point in time, 1933, is that
16 when we're talking about? The Federal Order design and
17 amendments since then. We don't deal on a geographic and local
18 market anymore. What happens in California, don't stay in
19 California, that's all I'm saying.

20 Q. Okay. I understand that. But with respect to the
21 increased differentials several years ago in the Southeast, are
22 you under the impression that the rest of the country had a
23 vote on the changes in those Orders?

24 A. Well, in a round about way you do, by you having a
25 group of producers in the Federal Order can always vote the

1 order out and that would disallow that if that impact was so
2 adverse, correct or incorrect?

3 Q. Same thing would apply on this one, too.

4 A. Correct.

5 Q. Okay. Thank you. That's all.

6 JUDGE CLIFTON: Who else has questions for Mr. Sparrow? Is
7 there anyone else before I invite redirect by Mr. Smith?
8 Mr. Smith?

9 MR. SMITH: Thank you, your Honor. Richard, do you have
10 anything else that you would wish to add to your testimony at
11 this point?

12 MR. SPARROW: Not really.

13 MR. SMITH: You are all set?

14 MR. SPARROW: Yes, sir.

15 MR. SMITH: That concludes his testimony, your Honor.

16 JUDGE CLIFTON: Thank you, Mr. Smith. Mr. Sparrow, I thank
17 you not only for your testimony, but for this document. I
18 continue to just delight in the new things each witness brings,
19 and you have brought us a whole new perspective we didn't have
20 before. You and Mr. Williams, did you travel together to be
21 here?

22 MR. SPARROW: No, ma'am.

23 JUDGE CLIFTON: Travelled separately. I appreciate the
24 effort you went to and your at your own expense to be here and
25 give us this information. I particularly appreciate how you

1 were willing to wait, even though normally we like to take
2 dairy farmers as soon as possible. So on many front, I thank
3 both of you.

4 MR. SPARROW: Yes, ma'am. Thank you. I appreciate the
5 opportunity to be here. You know, a lot of dairy farmers
6 aren't exposed to the Federal Order hearing process. Most
7 dairy farmers aren't. There's a lot of things that I wouldn't
8 say they don't like about it, but they've got other things they
9 think are more pressing. However, you have got to understand
10 that what you do here has an impact, not just a Federal Order
11 impact, but impact on dairy farmers.

12 Recently my son and I were milking and a fella that I
13 didn't even know stuck his head in the door and said, "I'm a
14 dairy farmer and I sold out October 1st, three counties away.
15 And I miss it so much that I wanted to come back. And I have
16 never seen your," I have got a relatively new set up and it has
17 some nice features in it, "and I wanted to see it, and I miss
18 looking and watching cows being milked."

19 You people, and I respect you, but you have got to
20 understand your impact is tremendous. The Federal Order impact
21 is tremendous. What you do here is impact, is tremendous.
22 That's all.

23 JUDGE CLIFTON: Understood. By the way, I don't know if
24 you and Mr. Williams know, but there is an agricultural
25 publication that is capturing that live audio feed and placing

1 it on a website where you can listen to it. You can listen to
2 any of the days of the testimony. And that's just at
3 www.my-dairyman.com. So if you miss the live audio feed, you
4 can go to that site and find what you would like to listen to.

5 MR. SPARROW: I admire you for being here for 36 days.

6 JUDGE CLIFTON: Well, thank you very much. We're coming in
7 the home stretch. You can feel it in the air. Thank you. You
8 may step down. All right. It seems to me Mr. Tosi would be
9 our next witness, would that be true?

10 MS. HANCOCK: It is, unless you want to take the full break
11 now. I don't care. Either way.

12 JUDGE CLIFTON: No, why don't we get started and then we'll
13 take one when it gets really intense. Ms. May, I'm going to
14 mark the testimony of Gino Tosi as Exhibit 168. Is that what
15 you have?

16 MS. MAY: Yep.

17 JUDGE CLIFTON: Thank you.

18 (Thereafter, Exhibit Number 168, was
19 marked for identification.)

20 JUDGE CLIFTON: All right. 168. Mr. Tosi, I'll swear you
21 in in a seated position. Would you raise your right hand,
22 please.

23 Do you solemnly swear or affirm under penalty of
24 perjury that the evidence you will present will be the truth?

25 MR. TOSI: I do.

1 JUDGE CLIFTON: Thank you. Please state and spell your
2 name for us.

3 MR. TOSI: Sure. My name is Gino Tosi, it's spelled G --
4 like George -- I-N-O, last name Tosi, T -- like Tom -- O-S-I.

5 JUDGE CLIFTON: Thank you. Ms. Hancock, you may proceed.

6 MS. HANCOCK: Thank you, your Honor.

7 DIRECT EXAMINATION

8 BY MS. HANCOCK:

9 Q. Mr. Tosi, welcome.

10 A. Thank you.

11 Q. Did you prepare Exhibit 168?

12 A. Yes.

13 Q. At this time, would you go ahead and read your
14 statement into the record?

15 A. Certainly.

16 My name is Gino Tosi. I'm appearing today on behalf of
17 the California Producer Handlers Association (CPHA) in support
18 of their proposal published in the Hearing Notice as
19 Proposal 3. In this regard, I am only testifying in the
20 limited scope that the proposed Federal Order language that is
21 presented in the Exhibit A of my testimony would accomplish the
22 intent of the CPHA to preserve their exempt quota treatment,
23 along with preservation of the rest of the quota system.

24 It is my opinion that in the event the Department
25 issues a Federal Milk Marketing Order (FMMO) for the state of

1 California, the proposed Order language amendments to the
2 Cooperative's proposal would accomplish the intent of
3 Proposal 3. As already testified by Mssrs. Richard Shehadey
4 and Mr. Frank Otis, the intent of Proposal 3 is to retain
5 intact fully, that aspect of the current feature of the
6 California State Marketing Order quota system as it affects
7 current exempt quota holders. Others have testified on the
8 need to retain the current California quota system in all of
9 its scope and features.

10 The proposed order language is modeled after the Order
11 language by the Cooperatives' proposal for a California FMMO.
12 It deviates from the Dairy Institute's or DI's proposed order
13 language in ways that I will discuss during my testimony. In
14 this regard, in the event the Department issues an FMMO that
15 resembles the features of the DI proposal, the inclusion of
16 similar language to allow for the definition of "exempt quota"
17 holders and the deduction from the pool calculations would
18 accomplish the same result. Neither the Cooperatives' or DI's
19 proposals provide for the continuation of the exempt quota in a
20 Federal Order for California in their own respective Order
21 language. I had the word "on" there, your Honor, after the
22 word "California" and I would like to change that to the word
23 "in".

24 JUDGE CLIFTON: "In". And you also, when you read it, you
25 included the word "Order" here. Do you want us to insert

1 "order" between "proposed" and "language", or no, maybe you
2 don't need it.

3 MR. TOSI: "Respective proposed", we could say "Order
4 language" that would be fine, your Honor.

5 JUDGE CLIFTON: All right. Let's insert that word there,
6 just to be clear. All right. And as you read your statement,
7 Mr. Tosi, I would like you to read also the headings, and
8 you're about to have one now.

9 MR. TOSI: Thank you.

10 Background

11 I retired from Dairy Programs with 31 years of Federal
12 service in November, 2010. I currently live in Berea, Ohio, a
13 suburb of Cleveland, where I was raised and the town in which
14 Baldwin-Wallace University is located. I hold a Bachelor of
15 Science and a Master of Science degree in Agricultural
16 Economics from The Ohio State University. I'm a Veteran and
17 I'm a member of the VFW. I began my service with the U.S.
18 Department of Agriculture, first as temporary loan officer with
19 the Farmer's Home Administration immediately after graduate
20 school. And while I was in graduate school, I was recruited by
21 the Foreign Agricultural Service (FAS) as an Economist to work
22 in Washington, D.C. During my service in FAS, I worked on
23 credit and food assistance programs for countries in Latin
24 America; then I also worked on what was then called the
25 U.S.-Canadian Free Trade Agreement; and also foreign market

1 development programs for U.S. Dairy, livestock, and animal
2 genetics.

3 Over 20 years of my Federal service was in the Order
4 Formulation and Enforcement Branch of Dairy Programs. During
5 my years in Dairy Programs, I participated in a broad range of
6 events and actions reflecting literally all aspects of Federal
7 Milk Marketing Orders (FMMO's). I consider the most noteworthy
8 to include a 43-day National Hearing held in six cities in 1990
9 (which was the first major event that considered a number of
10 changes to how the FMMO system operates) -- and just for the
11 record, there are, I counted five of us who are veterans of
12 that who were there for every moment of that 43-day National
13 hearing -- also, separate, I participated in several rule
14 making proceedings of several different marketing orders before
15 Federal Order Reform; when specific FMMO decisions became the
16 subject of lawsuits, I assisted attorneys of the Justice
17 Department by writing portions of briefs explaining FMMO policy
18 and how requirements of the Agricultural Marketing Agreement
19 Act are incorporated into FMMO provisions. And I would like to
20 add, (in helping prepare Justice Department attorneys, I
21 consider my most notable experience was in the successful
22 defense of the Federal Milk Order system in the mid-1990's
23 brought about my interests in the Upper Midwest).

24 JUDGE CLIFTON: Now, I don't quite understand the grammar
25 of that. So the successful defense of the Federal Milk Order

1 system in the mid-1990's --

2 MR. TOSI: Yes, I see your point, your Honor. I was trying
3 to identify the timeframe in which that happened, and that was
4 in the mid-1990's.

5 JUDGE CLIFTON: Yes, that's fine so far. And then from
6 there, "brought about my interest".

7 MR. TOSI: Oh, I'm sorry, thank you, your Honor, "brought
8 about by interests".

9 JUDGE CLIFTON: Oh, "by" instead of "my".

10 MR. TOSI: Correct.

11 JUDGE CLIFTON: So do you see where we are, Ms. May? We're
12 going to strike the word "my" and replace it with "by", and
13 that's in the middle of page 2.

14 MS. MAY: Got it.

15 JUDGE CLIFTON: Thank you.

16 MR. TOSI: I'd also like to include, the four-year Reform
17 effort resulting in the current Federal Milk Marketing Order in
18 system of among other things, the larger consolidated Milk
19 Marketing Orders. I have explained, explaining program
20 features and rule making decisions on Capitol Hill to
21 Congressional staffs; the invitation by, and participation
22 with, the Justice Department as a program expert in what's now
23 commonly referred to as the Hillside Dairy case, that went
24 before the Supreme Court of the United States, and from which
25 the court found certain features of the California Milk Order

1 system to be in violation of the Commerce Clause. The Commerce
2 Clause of the Constitution.

3 JUDGE CLIFTON: And let us stop you right there so that we
4 can insert the "of" that you just read. So, Ms. May, fifth
5 line up from the bottom of that last full paragraph, we're
6 going to insert the word "of" so it will read "in violation of
7 the Commerce Clause".

8 MS. MAY: Got it.

9 MR. TOSI: Thank you.

10 JUDGE CLIFTON: All right. So just read that last portion,
11 if you will, I want you to begin with the semi-colon, the
12 invitation, I know it's a long section, but just read from "the
13 invitation by".

14 MR. TOSI: Yes, I re-read this just to read, the invitation
15 by, and participation with, the Justice Department, as a
16 program expert in what's now commonly referred to as the
17 Hillside Dairy case that went before the Supreme Court of the
18 United States, and from which the court found certain features
19 of the California Milk Order system to be in violation of the
20 Commerce Clause of the Constitution.

21 I was the primary author of nearly every Federal Order
22 decision during a ten-year period since implementation of the
23 then 11 consolidated Orders which are now 10, in 2000, until my
24 retirement in November of 2010. Some of the decisions that I
25 authored weren't published or brought to final implementation

1 until after my retirement.

2 I'm now employed by the Cuyahoga Community College as
3 an instructor where I teach basic mathematics and economics. I
4 also volunteer as a teaching assistant for GED classes for
5 people seeking to earn their high school diploma in Cleveland's
6 inner city and English as a Second Language for new immigrants.
7 I have assisted my daughter in opening two retail restaurants
8 or stores in New York City and her bakery located in Brooklyn,
9 New York.

10 BY MS. HANCOCK:

11 Q. What are the name of those stores?

12 A. The name of the stores are Milk Bar, and I'll let you
13 all in on a secret, when she was first starting off, and she
14 knew this was a kind of work that I was doing, I referred to
15 ya'll one time as the "Milk Bar" and she liked it. So it's her
16 way of tipping her hat to ya'll, too, so.

17 Q. Little tangent, sorry about that.

18 A. Okay. I am currently assisting in evaluating possible
19 bankruptcy actions. I have done other volunteer work helping
20 to feed needy families in the greater Cleveland area.

21 Program Specifics

22 Q. All right. Say that one more time?

23 A. I'm sorry, Proposal 3 Specifics.

24 As shown in Exhibit A, Proposal 3 Order language would
25 first amend Section 1051.17 CDFA, quota premium, quota nonfat

1 solids and nonfat quota milk and end the bold.

2 JUDGE CLIFTON: Now, is that nonfat quota milk or is it --

3 MR. TOSI: I'm sorry, your Honor, non-quota milk.

4 JUDGE CLIFTON: Okay. So that's non-quota milk. All
5 right.

6 MR. TOSI: Correct. And that ends the bold, the words that
7 are bolded. Of the cooperatives proposal for establishing a
8 FMMO for the State of California. In this regard, Proposal 3
9 adds two subsection, or paragraphs E and F. These two
10 paragraphs reference current California State Order provisions
11 and language that affect exempt quota holders and make these
12 features a part of the proposed FMMO.

13 Okay. The Dairy Institute or DI's proposal is
14 structured differently in minor ways in this feature of an FMMO
15 for California. Rather than having a separate Section 1051.17,
16 which in the Dairy Institute Proposal is "reserved" they do
17 nevertheless, bring their proposed FMMO for California
18 basically --

19 JUDGE CLIFTON: Wait, wait, wait --

20 MR. TOSI: Start bring into their proposed --

21 JUDGE CLIFTON: They do nevertheless, slow down.

22 MR. TOSI: They do, nevertheless, bring into their proposed
23 FMMO for California, basically the same references to the quota
24 system provided for in the State Order. In this regard, DI
25 brings these features into their Section 1051.11 California

1 quota and producer quota.

2 JUDGE CLIFTON: Go ahead and read the title in there
3 section?

4 MR. TOSI: Yes, the words that I intend to have bolded are
5 the words Section 1051.11 California quota program and producer
6 quota. In the event that the Department adopts the DI proposed
7 order, then it's my opinion that this section of the DI
8 proposal be amended by adding two new paragraphs identical to
9 that already specified in subparagraphs E and F of the
10 Section 1051.17, which just as a refresher there, is the
11 section identified by the Cooperatives in the Cooperatives
12 proposal.

13 Because the California State Order provides that exempt
14 quota holders essentially receive the difference between the
15 Class 1 price and the plant blend price, it's necessary to
16 subtract that which is exempt quota from the Class 1 value of
17 milk, and then I would like to strike the word of, and in its
18 place write in the cooperatives, then I would like to continue
19 with the words that are now bolded, Section 1051.60 Handlers'
20 value of milk.

21 JUDGE CLIFTON: All right. Let me make sure Ms. May and I
22 are together with you. So Ms. May, we're on page 3, the last
23 full paragraph, the third line down. At the end of that line
24 we strike "of" and we insert "in the" let's see, we want a
25 capital C for Cooperatives, and we want it to be plural,

1 apostrophe.

2 MR. TOSI: Correct.

3 JUDGE CLIFTON: Okay.

4 MR. TOSI: And then the words again, bolded, I'll repeat
5 that Section, 1051.60, handler values of milk.

6 JUDGE CLIFTON: Handlers' value of milk.

7 MR. TOSI: Of milk, and then bolding would end. In this
8 regard this is accomplished by adding, excuse me, this is
9 accomplished by amending paragraph (a)(1) of this section by
10 inserting the words, and I quote, "less that portion of milk
11 that is exempt quota as defined in Section 1051.17 (e) and (f)"
12 as highlighted in Exhibit A. Additionally, Paragraph (a)(2) of
13 Section 1051.60 would need to be amended by inserting the
14 words, and I quote, "less that portion of milk that is exempt
15 quota as defined in Section 1051.17 (e) and (f)." And I should
16 technically I should end that with a close quotation there.

17 JUDGE CLIFTON: All right. So we'll close the quote at the
18 end of the last full paragraph on page 3.

19 MR. TOSI: The DI proposed order language differs from that
20 of the Cooperatives and how the Class 1 value for milk is
21 determined in their respective Section 1051.60.

22 JUDGE CLIFTON: Do you want us to have the word respective
23 in there or no?

24 MR. TOSI: It's not necessary, your Honor.

25 JUDGE CLIFTON: Okay.

1 MR. TOSI: This is detailed in Section 1051.60,
2 subparagraph (a). When the two compete -- while the two
3 competing proposals differ in this regard, they both
4 nevertheless describe how the Order will arrive at the Class 1
5 milk value in determining a handlers' value of milk. I make no
6 judgment have no opinion on which of the two competing
7 proposals is superior. I do note that in order to accomplish
8 the intent of Proposal 3, then Section 1051.60 of the DI
9 proposal would similarly need to be amended to provide for
10 deducting that portion of milk that is exempt quota as defined
11 in the California State Order.

12 BY MS. HANCOCK:

13 Q. And in that section, if we strike Section 1051.60 of
14 the --

15 A. Of the --

16 Q. Or so that it just reads of the DI proposal, we strike
17 Section 1051.60 of.

18 JUDGE CLIFTON: And do you see where that is, Ms. May?

19 MS. MAY: Yes.

20 JUDGE CLIFTON: All right. So we will strike Section
21 1051.60 of, is that correct, Mr. Tosi?

22 MR. TOSI: Yes.

23 JUDGE CLIFTON: All right. Would you read that again, I do
24 note.

25 MR. TOSI: I do note that in order to accomplish the intent

1 of Proposal 3, then Section 1051.60 --

2 MS. HANCOCK: Don't read the part that we struck, just take
3 out "Section 1051.60 of" and read that sentence without that
4 part.

5 MR. TOSI: I'm sorry, I'm not -- I'm not understanding what
6 I'm being instructed.

7 MS. HANCOCK: I think that that was a mistake in reference
8 after Cooperatives' proposal, and so I think it just was
9 supposed to read "then the DI proposal would similarly need to
10 be amended."

11 MR. TOSI: Yes.

12 MS. HANCOCK: So we struck where it says "Section 1051.60
13 of", and then if you re-read that sentence without those
14 three --

15 MR. TOSI: Understood. Then the DI proposed --

16 JUDGE CLIFTON: So start "I do note".

17 MR. TOSI: Okay. I do note that in order to accomplish the
18 intent of Proposal 3, then the DI proposal would similarly need
19 to be amended to provide for deducting that portion of milk
20 that is exempt quota as defined in the California State Order.

21 Now that the exempt quota is defined as part of the
22 proposed order, it becomes necessary to require this
23 identification in handler reports as specified in and begin the
24 words that are bolded, Section 1051.31 Producer delivery and
25 payroll reports. And then at the end of that word "reports"

1 there, that would end the words of that words that I intend to
2 be bolded. Please note that Exhibit A re-describes the exact
3 order language for this section as in the Cooperatives'
4 proposal. Because this section directs payments to producers
5 and Cooperative associations to that described in Section
6 1051.73(f) and that this Proposal 3 proposes to amend
7 Section 1051.73, as noted in Exhibit A, reiteration of the
8 Cooperatives' proposed order language is provided only for
9 clarity in following all the links that are needed to
10 accomplish the intent of continuing to ensure that exempt quota
11 is retained in a new California Federal Milk Marketing Order.

12 Finally, Section 1051.73 of the Cooperatives' proposed
13 order language, and then strike the word "this" and replace it
14 with the word "of", so I'll start over with that.

15 Finally, Section 1051.73 of the Cooperatives' proposed
16 order language of Proposal 3, and then please strike the words
17 of CPHA.

18 JUDGE CLIFTON: No, I'm confused. So we know that we have,
19 we start with the Cooperatives' proposed language.

20 MR. TOSI: Correct.

21 JUDGE CLIFTON: And now we're going to begin to talk about
22 what you are adding to it.

23 MR. TOSI: Correct.

24 JUDGE CLIFTON: But I'm not quite sure if we just strike
25 the this and put of that we're there.

1 MR. TOSI: Yes.

2 JUDGE CLIFTON: Take a look at it.

3 MR. TOSI: Show you, your Honor?

4 JUDGE CLIFTON: Yeah.

5 MS. HANCOCK: What if it said for Proposal 3.

6 JUDGE CLIFTON: This is a good point for our real break.

7 MS. HANCOCK: Okay. We'll fix this part of it while we're
8 breaking so.

9 JUDGE CLIFTON: Very good. Let's take -- let's just take
10 ten minutes. Please be back and ready to go at 3:45. Just
11 gives you 10 minutes.

12 (Whereupon, a break was taken.)

13 JUDGE CLIFTON: We're back on record at 3:46. Ms. Hancock?

14 BY MS. HANCOCK:

15 Q. Mr. Tosi, I think we left off on page 4 and we have
16 corrected that sentence now beginning with the paragraph or the
17 paragraph that begins finally.

18 A. Yes, thank you.

19 Q. Can you read that as corrected now, we'll make sure
20 we're all on the same page?

21 A. Finally Section 1051.73 of the Cooperative's proposed
22 Order language would similarly need to be amended by adding a
23 new subparagraph 4(a), (or in the event that this format may no
24 longer be acceptable in the latest drafting guidelines the
25 Federal Register -- then a new subparagraph (9)), with the

1 words: "The pounds of exempt quota, excuse me, the pounds of
2 exempt quota nonfat solids as defined in Section 1051.17(f)."

3 JUDGE CLIFTON: So as we look at it as written, we're going
4 to strike about five words.

5 MR. TOSI: That's correct.

6 JUDGE CLIFTON: All right. And the words that you want
7 Ms. May and me to strike in the paragraph on page 4 that begins
8 "finally" are what words?

9 MR. TOSI: At the end of the sentence the first word you
10 would strike would be the word "this" and then in the second
11 line of that paragraph would be the words "proposal", the
12 number "3", the word "of", and the abbreviation "CPHA".

13 JUDGE CLIFTON: All right. Ms. May? Done.

14 MR. TOSI: As with differences in Section 1051.60 of the
15 Cooperative and DI proposals, their respective Sections
16 1051.73, differ in how payments are specified in payments to
17 producers and Cooperative associations. Nevertheless, the DI
18 proposal would need to be amended in a similar manner.
19 Specifically, the pounds of exempt quota nonfat solids as
20 defined in Section 1051.17(f) would likewise need be made part
21 of the DI proposed Section 1051.11.

22 JUDGE CLIFTON: All right. Now, have you made any changes
23 in the way this is written in this paragraph at the end?

24 MR. TOSI: I may have read it incorrectly, your Honor.

25 JUDGE CLIFTON: Okay. Why don't you read that last

1 sentence again of the last full paragraph, well, it's not
2 exactly the last full paragraph. Starting with the word
3 "specifically".

4 MR. TOSI: Specifically the pounds of exempt quota nonfat
5 solids as defined in Section 1051.17(f) could likewise be made
6 part of a, could be made a part of DI proposed Section 1051.11.
7 This concludes my testimony in support of Proposal 3 of the
8 California Producer Handler Association.

9 BY MS. HANCOCK:

10 Q. And, Mr. Tosi, did you have any other modifications to
11 your statement that you would like to make?

12 A. Yes. If you could please, everyone, if you could just
13 refer to page 2 of my testimony, in the middle paragraph there,
14 that's, that begins over 20 years of my Federal service, if you
15 come down to the -- to the sentence in the paragraph where it
16 refers to "the Hillside Dairy case that went before the Supreme
17 Court of the United States," I'm concerned that I
18 mischaracterized the -- I have legally mischaracterized the
19 outcome of that case. It is a little more complex than the
20 simplified way in which I stated it, so I think it is probably
21 best that we strike the words "and from which the court found
22 certain features of the California Milk Order system to be in
23 violation of the Commerce Clause of the Constitution."

24 JUDGE CLIFTON: All right. So what we will do is after the
25 phrase "Supreme Court of the United States" we'll put a

1 semi-colon.

2 MR. TOSI: Correct.

3 JUDGE CLIFTON: All right. And then we will strike all of
4 the words to the next semi-colon.

5 MR. TOSI: That's correct, your Honor.

6 JUDGE CLIFTON: All right. So after "the Supreme Court of
7 the United States semi-colon" the next word would be "I was".

8 MR. TOSI: Correct.

9 JUDGE CLIFTON: Okay. Ms. May, are you good?

10 MS. MAY: I'm good.

11 JUDGE CLIFTON: Thank you.

12 BY MS. HANCOCK:

13 Q. Mr. Tosi, I guess first I want to kind of go off script
14 a little bit. And yesterday was Veteran's Day, and the Judge
15 asked everyone to stand in the room and she recognized you, but
16 I would, for the record, just like to formally recognize you
17 and thank you for your military service and what you have given
18 to our country.

19 And, your Honor, also in recognition of Mr. Tosi's
20 considerable Federal Milk Marketing experience, and the amount
21 of time that he spent drafting his own Order language, I would
22 like to formally have him recognized as an expert in Federal
23 Order language.

24 JUDGE CLIFTON: You know, Federal Order language covers a
25 multitude. Do you want to focus in on dairy or what?

1 MS. HANCOCK: That's a great limitation to have, especially
2 for purposes of this hearing. I mean, his experience may go on
3 beyond what I'm aware of even, but, and I suspect it does, but
4 for purposes of this hearing I would like to have him
5 recognized as a Federal Order specialist for Dairy Marketing
6 purposes.

7 JUDGE CLIFTON: Does anyone wish to question Mr. Tosi in
8 order to determine whether you have any objection? No one. Is
9 there any objection to Mr. Tosi being accepted as an expert in
10 Federal, as an expert in Federal Order Dairy Marketing.

11 MS. HANCOCK: And say it again?

12 MR. RICHMOND: Federal Milk Marketing Orders.

13 JUDGE CLIFTON: Sorry, what?

14 MS. HANCOCK: Expert in Federal Milk Marketing Orders,
15 FMMO's.

16 JUDGE CLIFTON: That's easy. Very good. I have changed
17 it. Does anyone object to Mr. Tosi being accepted as an expert
18 in Federal Milk Marketing Orders? No one. I accept Mr. Tosi
19 as an expert in Federal Milk Marketing Orders.

20 MS. HANCOCK: Your Honor, with that, I would move admission
21 of Exhibit 168.

22 JUDGE CLIFTON: Now, the most important part of it we
23 didn't even look at yet.

24 BY MS. HANCOCK:

25 Q. Well, Mr. Tosi, you have, you have an exhibit attached

1 to your statement?

2 A. Yes, I do. It's extremely technical, it's rather
3 tedious, and you know, I think it would be, if anybody has a
4 copy of this, including the court reporter, between what's
5 highlighted and all, I think if we could just request this
6 exhibit be entered into the record as if it were read, I think
7 it would be helpful for everyone.

8 Q. So rather than that, what we're moving for is the
9 admission of the document, so the document will be in the
10 record. And your Honor, I believe in page 3 and 4 of his
11 testimony he walked through each one of the changes
12 specifically that he added, and then he has included the
13 specific language as Exhibit A.

14 JUDGE CLIFTON: All right. Mr. Tosi, look with me at
15 Exhibit A, please. How many pages is it?

16 MR. TOSI: Exhibit A is it is a total of five pages, your
17 Honor.

18 JUDGE CLIFTON: And tell me the difference between those
19 portions of it that are highlighted in yellow and the portions
20 that are not?

21 MR. TOSI: Okay. On the first page of Exhibit A you will
22 notice that there are two paragraphs in Section 1051.17 that
23 are highlighted in yellow. And what these two paragraphs
24 include are the exact references to the current California
25 Department of Food and Agriculture, the CDFA regs, that would,

1 if we cite them this way, directly bring into as completely as
2 we think is needed, the exempt quota.

3 BY MS. HANCOCK:

4 Q. To the code Sections, right? Not the regulations?

5 A. Excuse me, yes, the code Sections there. That would
6 bring in the language that I think is needed to make the exempt
7 quota part of a California Federal Milk Marketing Order.

8 JUDGE CLIFTON: All right. And so the parts that are not
9 highlighted in yellow, are they something that you took out of
10 the Federal Register Exhibit 1 language that was already
11 suggested by the cooperatives?

12 MR. TOSI: With respect to -with respect to Section 60,
13 1051.60 Handlers' value of milk, that's taken --

14 JUDGE CLIFTON: I'm sorry, I'm just on the first page.

15 MR. TOSI: Okay. On the first page.

16 JUDGE CLIFTON: And I don't see that there.

17 MR. TOSI: The Section 1051.31 producer delivery and
18 payroll reports, I was showing that in there that if you would
19 go into all other Federal Orders, that all other Federal
20 Orders, all Federal Orders require reports.

21 BY MS. HANCOCK:

22 Q. So I think she was asking something even more
23 foundation, at the foundation level just in the Exhibit A. The
24 portions that are not highlighted came out of the cooperatives
25 proposed language, right?

1 A. Yes, that's correct.

2 Q. And in the portions that are highlighted yellow is the
3 proposed additional language that you have crafted in order to
4 preserve the exempt quota treatment?

5 A. Yes, that is correct.

6 Q. Okay. I think she, just for the record, was trying to
7 make sure that we have a good explanation of how we've broken
8 up the exhibit.

9 A. I know that, you know, I recognize that going through
10 all of this is extremely tedious and technical, and there were
11 some minor differences between the Cooperatives' Proposal and
12 DI's Proposal, either in how they numbered things or little
13 issues like that, but, you know, the bottom line is this, that
14 regardless of in the event the Department decides to adopt one
15 proposal or the other, I was trying my best here to show here
16 are the things would you need to bring into either one of those
17 proposed Order languages to accomplish the intent of
18 Proposal 3.

19 Q. And do you believe that the language that you have
20 highlighted here accomplishes the goal of preserving exempt
21 quota as it's currently treated under the California State
22 Order system?

23 A. Yes, I do.

24 Q. Okay. And other than -- other than preserving exempt,
25 or preserving the treatment for exempt quota, are there other

1 consequences to adding this language that you are aware of that
2 would occur?

3 A. No, I don't believe that any of the things that I was
4 proposing in here would have any other impact on any other
5 feature of, or intents of either the DI Proposal or the
6 Cooperative Proposal. It is very, very limited in what its
7 intent is and I think it accomplishes that.

8 Q. And would it allow for any additional exempt quota
9 holders to be created in the future?

10 A. It would not.

11 Q. And would it allow for the current exempt quota holders
12 to increase their exempt quota volume?

13 A. No, it would not.

14 Q. With that, your Honor I would move for the admission of
15 Exhibit 168.

16 JUDGE CLIFTON: Now, let's go back to the suggestion that
17 the court reporter type it as if read. What we have learned is
18 that it's a bad idea to request the court reporter to type into
19 a transcript things that are formatted as are regulations. So
20 I would propose one of two things, either we just realize in
21 the transcript that one looks to Exhibit 168 and finds
22 Exhibit A for the actual proposed additional language, or
23 Mr. Tosi, we have you read what's highlighted in yellow in
24 Exhibit A, if you want it actually to appear in the transcript.

25 MS. HANCOCK: Your Honor, in the interest of time, and I

1 think it's perfectly fine for purposes of preserving the record
2 and making sure that the parties all have adequate information,
3 that we admit the document as with the exhibit attached.

4 JUDGE CLIFTON: I agree totally. Is there any objection to
5 the -- well, first, does anyone wish to question Mr. Tosi about
6 Exhibit 168 before determining whether you object? No one.
7 Are there any objections to the admission into evidence of
8 Exhibit 168? There are none. Exhibit 168 is admitted into
9 evidence.

10 (Thereafter, Exhibit Number 168, was
11 received into evidence.)

12 MS. HANCOCK: Thank you, your Honor, that's all I have at
13 this time.

14 JUDGE CLIFTON: Who would like to begin, Mr. English?

15 CROSS-EXAMINATION

16 BY MR. ENGLISH:

17 Q. Good afternoon, Chip English for the Dairy Institute.
18 Welcome, Mr. Tosi, to the other side of the Milk Bar.

19 A. It's very different sitting on this side of the
20 microphone.

21 Q. And from my part, as long as you want to do it, I hope
22 it is a long and enjoyable time on this side of the Milk Bar.

23 A. Well, thank you. I appreciate that.

24 Q. Let me just start with a couple of questions that
25 Ms. Hancock just asked you. And as I understood it she asked

1 can there be new exempt producer distributors. Did you
2 understand that to be the question that you said no?

3 A. No. What I understood the question to be was that if
4 we brought these proposed changes into a California Federal
5 Milk Marketing Order, would that, in any way, increase the
6 amount of exempt quota for people who currently have exempt
7 quota. And my answer -- answer was no, it would not.

8 Q. But if wouldn't prevent, if the statutes get amended
9 and there's no exempt quota, then the Federal Order would, in
10 essence, be sort of bringing those in if those amendments were
11 to happen?

12 A. I'm not sure how to answer that. I know that one the
13 things that's been testified to repeatedly by the
14 producer-handlers is that the amount of exempt quota is kind of
15 like frozen in time here, and that it's not going to increase
16 or at least it is not foreseeable that it is going to increase.
17 I have never given it any thought to say what would happen if
18 the State of California decides to increase it. I never gave
19 any consideration to that.

20 Q. And that's my way of saying you have incorporated
21 California Code Sections into a proposal for Federal Order
22 language, and if the California Code Sections change, then by
23 definition, what's in the Federal Order language is going to
24 change, correct?

25 A. That seems to be correct.

1 Q. Are you aware, in all your years of dealing with
2 Federal Orders, of any other provision in the Federal Order
3 that incorporates either state law or state regulation as part
4 of the Order?

5 A. I may be mistaken about this, but back in the late
6 '60's there was a kind of a joint state/federal overlap, if you
7 will, on the operation of a base excess program in the State of
8 Oregon and Washington where there was sort of like a joint
9 administration in that regard. I kind of see that as being
10 kind of different than here in the sense that I think the scope
11 here is much greater.

12 Q. Okay. All right. So let me turn to Exhibit A, it's
13 easier for me to look at Exhibit A rather than the language in
14 your testimony. And I do want to look at how this works and
15 sort of connect up. So let me look at, first, your definitions
16 and I want to start with, for me sometimes it's easier to start
17 smaller and work bigger. Looking at 17(e), if you see 17(e),
18 there is a definition for exempt quota that after the Code
19 Section says, "exempt quote" and then there's a line, "and
20 exempt quota premium value mean the value." So I look at the
21 phrase "and exempt quota premium value" and then I look in (f),
22 which is another definition, and I looked over on the second
23 page of Exhibit A in 1051.60 handlers value of milk, and
24 finally I looked over in Section 73, the last page, which
25 refers to the pounds of exempt quota nonfat solids, and I never

1 again see the words "and exempt quota premium value". So I
2 guess my first question is, why is it there in the definition?

3 A. Why is it there in paragraph E?

4 Q. Yes.

5 A. I think the reason is because, I think the reason I put
6 it in there is because when California, on their premium values
7 had defined things in terms of, or there's a part where it
8 defines things in terms of pounds of nonfat solids.

9 Q. I understand that, Mr. Tosi. I mean, I guess, I
10 haven't actually written anywhere near as much language as you
11 have, I have certainly written language and sometimes you have
12 liked it and sometimes it disappeared and never made it
13 anywhere, I'm not saying you actually liked it, but I think you
14 would agree that we don't usually have extraneous language in
15 Order language.

16 A. That's correct.

17 Q. Okay. So when I look at the language "and exempt quota
18 premium value" which is a definition, I would expect to see the
19 phrase, "and exempt quota premium value" somewhere else in the
20 Order language so that having the language there in a
21 definition has substance. So I'm asking, did I miss something?
22 Is there another section I didn't see?

23 A. Well, in a way what we're doing here is, if you look at
24 what would be reflected there in Paragraph B of the same
25 Section 17 here, just two paragraphs up above we're kind of

1 talking about the same thing here, quota premium and quota
2 premium value and what it means. And what we're doing here is
3 we're just bringing in to make it absolutely clear where it
4 comes from. It comes from these sections of the California
5 State Code, where these sorts of things, the exempt quota
6 things, for exempt quota holders are in, and when you look at
7 the language of these sections there, they describe it in terms
8 of California producer-handlers.

9 Q. Okay. I understand, Mr. Tosi, but I think if you look
10 in the Order language, you might find that quota premium and
11 quota premium value actually are words that are then used later
12 in the Order. So again, I'm not going to belabor the point,
13 but I'm just trying to understand why that particular phrase is
14 there. So, let me -- let me actually maybe change it to
15 different idea, and see if I get at this somehow differently.

16 You -- you have defined exempt quota as meaning the
17 value established pursuant to California Code Sections. But
18 when I, when you go over to Section 60 you say, "multiply the
19 pounds of skim milk in Class 1, less that portion of milk", and
20 I'll get back to that in a second, "that is exempt quota."
21 Aren't you subtracting pounds from pounds in paragraph
22 60(a)(1)?

23 A. The intent therein 60(a)(1) is that when we're
24 determining what the handlers, or when we're determining what
25 the Class 1 value, skim value of milk would be is, that we want

1 to subtract out of that calculation that volume of milk. Or in
2 other words, we're sort of crediting that volume of milk that
3 would otherwise be part of that calculation.

4 Q. And I agree. I think what you are trying to get at is
5 volume, you are subtracting volume. But as I read the language
6 as you have written it, you are subtracting something that's
7 called value subtracted from volume. And, you know, in my
8 accountant days, I think, you know, you subtract volume from
9 volume, you don't subtract --

10 A. I understand your point. I understand your point. In
11 this regard here what we're trying to get at is volume.

12 Q. Okay. All right. So -- so you think that value means
13 volume here, at least in terms of Section 60(a)(1) because what
14 you are trying to do is subtract volume.

15 A. If I have understood what you have asked me, I would
16 agree with that.

17 Q. Now, I think also in 60(a)(1) you, and I think the same
18 is for (a)(2), but let's go to (a)(1), you say multiply the
19 pounds of skim milk in Class 1, less that portion of milk that
20 is exempt quota. And I'm wondering if it needs to be that
21 portion of exempt quota that is skim milk.

22 A. Yes. I would have thought that that was obvious.

23 Q. I understand that, but you and I both know that in
24 drafting Federal Order language that if somebody sees language,
25 you know, so for instance if you had, and we have had a lot

1 examples so far here in the last two days of a hundred pounds.
2 So an entity that has a hundred pounds, 20 pounds of exempt
3 quota, of those hundred pounds, the skim is normally going to
4 be at least, at test, around 96.5, correct?

5 A. Correct.

6 Q. And so if you subtract the portion of milk that is
7 exempt quota, if you don't say it's skim milk, you would over
8 subtract, wouldn't you?

9 A. That would be correct, yes, sir.

10 Q. All right. And again, listen, I'm just trying to get
11 the language. And I understand that it might seem to be
12 obvious, but I think you now in all your years of drafting
13 language that you got to be precise in this stuff, right?

14 A. That's true. I mean, one of the vagaries of crafting
15 Federal Order language is that for every time somebody thinks
16 that you have done it correctly, somebody else is going to say
17 that you have done it wrong. And then that's even before we
18 get the Federal Register which is a whole other battle. I know
19 that my former colleagues would remember some of the, you know,
20 the pain and agony, that is a whole other hurdle that you jump
21 over.

22 Q. I promise not to ask you questions about that, although
23 it's something that's always intrigued me. And I also don't
24 want to ask, you said something about the new rules, I'm not
25 sure I want to know what those are.

1 So your intention is to be volume and your intention in
2 (a)(1) would be the portion that's skim milk, not all the milk,
3 correct?

4 A. That's correct.

5 JUDGE CLIFTON: Is that (a)(2), Mr. English?

6 MR. ENGLISH: I am on (a)(1) still.

7 JUDGE CLIFTON: Okay.

8 MR. ENGLISH: Now, turning to (a)(2), that also should be
9 volume and that should be the butterfat in the milk, correct?

10 MR. TOSI: That's correct.

11 Q. Okay. And that's all I have, your Honor.

12 JUDGE CLIFTON: Mr. Tosi, how do you want to handle the
13 suggestions that Mr. English has made? Do you want to think
14 about that and give us more precise wording or what would you
15 like to do?

16 MR. TOSI: I would appreciate just having a little bit of
17 time to consult with counsel to make sure that -- I'll be back
18 up here on the stand again on another issue, and I think we can
19 be a little more precise as Mr. English I think is appropriate
20 in bringing up.

21 JUDGE CLIFTON: Good. I like it. Who else has questions
22 at this point? Mr. Beshore?

23 CROSS-EXAMINATION

24 BY MR. BESHORE:

25 Q. Marvin Beshore. Good afternoon, Mr. Tosi.

1 A. Good afternoon, Mr. Beshore.

2 Q. Good to see you, as always.

3 Let me start on page 3 with a question, and then I'm --
4 I want to try to -- try to get at how to -- how to best
5 represent this exempt quota, you know, in a potential Federal
6 Order pool. So in the paragraph towards the bottom begins
7 "because the California State Order," do you see that?

8 A. Yes, I do.

9 Q. "Provides that exempt quota holders essentially receive
10 the difference between the Class 1 price and the plant blend
11 price," and it goes on. I'm wondering if that totally
12 represents what goes on with exempt quota. And here's my,
13 here's my thought for you to react to, okay? And I have just
14 listened to the testimony of two of the producer-handlers last
15 two days, and as I heard them describe the operations of exempt
16 quota, the, essentially, the volumes of milk represented by
17 exempt quota are just removed from -- from their pool
18 obligation with the CDFA pool, from the Class 1 volume of their
19 pool obligation in the CDFA pool. And were you here to hear
20 both of their testimony or you read it, I'm sure?

21 A. Are you talking about the two people that testified
22 earlier today?

23 Q. Yes.

24 A. Yes, I was here.

25 Q. Okay. Does that -- did you hear it described

1 essentially that same way, functionally?

2 A. It -- I likened it to, this was my characterization of
3 that.

4 Q. Okay. So another aspect of exempt quota and the way it
5 operates in California now. I mean, there was testimony about
6 how they, how they handle things between their plant operations
7 and their farm. But is there a requirement in CDFA exempt
8 quota regulations, to your knowledge, that places any
9 particular stipulations on the transaction between the plant
10 and the farm at all?

11 A. I know that with respect to the operation, that the
12 separate legal entity that's the plant, that they are required
13 to pay at least the blend price for that milk which is
14 non-exempt quota.

15 Q. Right.

16 A. Right.

17 Q. Okay. But at least my understanding, and maybe you
18 can, maybe I misunderstood it, and you would know more from
19 your working with your clients there, but my understanding is
20 that there's no particular requirements at all in CDFA that the
21 plant and the farm be different entities or any such thing,
22 that there's a consanguinity of ownership requirement if they
23 are separate, but they could all be the same, under the same
24 roof to the best of my knowledge. Do you have a different
25 understanding?

1 A. Mr. Beshore, I'm not quite sure how to answer that. I
2 was taking the limited, my testimony was geared at not, even if
3 I didn't understand completely what the legal structures were
4 and all that that said, that what the objective was, is that
5 what would we need to say in a Federal Order to accomplish
6 exactly what the California State Order does with exempt quota.

7 Q. Okay.

8 A. And that was the -- that was the very limited focused
9 intent of my participation on this proposal.

10 Q. Okay. I appreciate that. Let me -- let me go, then,
11 to just talk generally about how the -- how the exempt quota
12 might be incorporated into a Federal Order. The handlers
13 obligation in the Federal Order is represented by, I mean,
14 there are two sections, there's the gross value section which
15 is Section 60 that you focused on, correct?

16 A. Correct.

17 Q. And then the other side is the payments to, the
18 equalization payments section, or payments to the Producer
19 Settlement Fund, which is representing a reduction of the
20 payroll value or the milk value payable to their milk
21 suppliers, the minimum order obligation to their milk
22 suppliers?

23 A. Okay.

24 Q. If there's any difference, it is either paid in or
25 drawn out from the pool?

1 A. That's correct.

2 Q. Okay. So would potentially another way of
3 incorporating exempt quota into the Federal Order language be
4 not to address the handlers value side, but address it on the
5 other side, I mean, just hypothetically and theoretically, you
6 could handle that either way, could you not?

7 A. I think it might be possible. We chose to do it this
8 way.

9 Q. Okay. And what I'm, you know, what I'm thinking is,
10 that if the value is, the handlers gross value is calculated
11 straight under the Federal Order system, that basically what
12 the producer-handlers have said is that for their exempt volume
13 they just pay the Class 1 price to their farms, that's been the
14 testimony, right?

15 A. As I understood it, I agree with that, yes.

16 Q. So potentially you could just represent, if you wanted
17 to incorporate the exempt quota into the system, you could just
18 represent that value on the producer side, if you will, and you
19 would get to where the plus/minus would need to be for exempt
20 quota.

21 A. That seems correct.

22 Q. Okay.

23 JUDGE CLIFTON: Mr. Beshore, so when you say that value,
24 you are talking Class 1 value? Is that what you meant by that
25 value on the producer side?

1 MR. BESHORE: I probably have to have my sentence read back
2 to be sure of the reference, but I -- but I believe that's
3 correct, your Honor. I meant that the -- that the testimony I
4 have heard is that the exempt quota value was paid to the farm,
5 to the producer side, and that you could, in the Federal Order
6 language equation, you could represent the Class 1 value being
7 paid to the farm by crediting it on the payment side of the
8 equation.

9 MR. TOSI: I think it could be handled that way as well,
10 yes.

11 BY MR. BESHORE:

12 Q. Okay. Let me just look then on Exhibit A, just a small
13 item. You were working with with Proposal 1, and in part
14 1051.31, at the bottom of the first page, Proposal 1 was
15 amended by Dr. Erba to change the reporting day from the 6th to
16 the 9th. And would you intend to reflect that in your
17 incorporation of Proposal 1 also?

18 A. Yes, I would. If that, if the idea here was to support
19 your client's basic structure and the continuation of quota and
20 all of its aspects.

21 Q. Okay.

22 A. So if the testimony was changed from the 6th to the
23 9th, then that would be acceptable.

24 Q. Okay. Now, I also did not, we had a couple of
25 references in our Proposal in Part 71, which is again, the

1 other side of the handler's settlement equation with the pool
2 of the payments through the Producer's Settlement Fund. We had
3 some references there to information being, to the credits and
4 the payments being calculated as reported by CDFA to the Market
5 Administrator. Do you remember seeing that?

6 A. I'm not sure that I remember that.

7 Q. Okay. I didn't note in any of your proposed language
8 in Exhibit A, a provision for the Market Administrator getting
9 information about the pounds of exempt quota that would show up
10 in the CDFA record system as being owned by a particular
11 entity. Did I miss that or was that something that you maybe
12 didn't work in here?

13 A. I think I understand what you are asking. It was my
14 opinion that when you look at, for example, for example, what's
15 said in Paragraph C where it talks about things that are
16 reported by CDFA, I took that to mean that, that, you know, to
17 a certain extent there's a little bit of a joint administration
18 what's going on here with respect to payment obligations.

19 Q. By seeing which --

20 A. Here in your Section 17. For example here where it
21 talks about quota nonfat solids, within that subparagraph C it
22 talks about, "as determined and reported by CDFA".

23 Q. Okay.

24 A. So I took -- I took it -- I took all this to to mean
25 that -- that the participation of CDFA with a Market

1 Administrator is more or less defined within the context of
2 this entire provision as if, you know, it does refer to CDFA in
3 paragraph A, for example, that's responsible for the
4 administration of the California Dairy Producer Quota Program,
5 for example.

6 Q. Okay. And you would -- you would understand that, or
7 would want to have that apply to CDFA reporting to the Federal
8 Market Administrator, volumes relating to exempt quota as well
9 as regular quota?

10 A. Yes. Yes.

11 Q. Okay.

12 A. In fact, I, in the way that I have come to understand
13 what CDFA's role here is, is that it would be whatever joint
14 cooperation that would need to take place between the state and
15 the Federal Order to accomplish its purposes.

16 Q. And there was testimony by Dr. Erba that the
17 contemplation was that that would be represented in some type
18 of Memorandum of Understanding between the entities as has been
19 entered into in the past between the USDA and the New York
20 and --

21 A. And yes, and I was just going to mention that, that we
22 had such an arrangement with, between the old
23 New York-New Jersey Order and with the State of New York.

24 Q. And, in fact, those, at least one of, well, two of
25 those agreements have been entered into the record as possible

1 models or examples.

2 A. I wasn't aware of that, but it is interesting to know
3 that, thank you.

4 Q. Good. There's been, with respect to preservation of
5 exempt quota under Proposal 2, under Proposal 2 is it -- is it
6 your view that adding language to Proposal 2 as you have
7 suggested, would accomplish your objective? And I ask that in
8 view of the testimony that in the Economic Impact Statement,
9 for instance, that regular quota basically would be, in the
10 view of those Economists doing that for USDA, the regular quota
11 would be gone in two or three decision points, and then we had
12 additional testimony that, from Mr. Hatamiya that that would
13 occur, also. If that would occur with regular quota, how would
14 exempt quota be preserved? Do you have -- did you think about
15 that at all?

16 A. I'm -- if I think I understand, let me state back to
17 you what I think you are asking me. Are you asking me that
18 with respect to the DI Proposal, what is it that we would need
19 to say that would accomplish the intent of bringing this over?

20 Well, we're doing something, I would think that we need
21 to do something similar, and I tried to say that. You identify
22 these definitions in your Section 17. The DI Proposal, as I
23 have read it, these ideas of what, of what you are seeing there
24 in paragraphs A, B, and C in your Section 17 is more or less
25 articulated in DI's Proposal under their Section 11, 1051.11.

1 And that what I'm basically saying is that the information that
2 is contained in Paragraphs E and F of this proposal, that would
3 be added to, or that would amend your Section 17 would
4 similarly need to be added to the DI Proposal under their
5 section 11.

6 Q. And hopefully it would work out as you, to meet your
7 objectives?

8 A. Yes.

9 Q. Okay. That's -- that's all I have. Thank you.

10 A. Thank you.

11 JUDGE CLIFTON: Who next has questions for Mr. Tosi?
12 Mr. Richmond?

13 CROSS-EXAMINATION

14 BY MR. RICHMOND:

15 Q. Bill Richmond, USDA. I have been looking forward to
16 this.

17 A. It's a pleasure to have to answer to you, Mr. Richmond,
18 sir.

19 Q. Pleasure is all mine.

20 I think in general we're pretty clear on the intent of
21 the Proposal, but we're having some trouble, as you can
22 imagine, in regards to the references back to the California
23 Code. And I'm specifically looking at 1051.17(e) and (f). So
24 I think our real conundrum here is, what happens when we have
25 this reference to the California Code, and it somehow changes,

1 as Mr. English questioned you about. Can you offer us any
2 advice as to how we may handle a situation like that in the
3 future?

4 A. Well, put the shoe on the other foot for a minute.
5 What if there's another Federal Order hearing, let's assume
6 that there is a California Federal Order and it says whatever
7 it says, and then now you are going to go out and change some
8 feature of the Federal Order and how is that going to impact
9 what the state does. I guess you deal with it as you need to
10 deal with it at the time.

11 Q. And so does that mean that we would perhaps need to
12 hold a hearing to reflect the changes or --

13 A. Well, I would imagine that if the state is going to
14 change some feature that has a direct impact on how the Federal
15 Order is going to operate in the joint administration of the
16 thing, then -- I know, for example, in the, in the joint
17 agreement that we had there like with the State of New York,
18 anytime that there was a Federal Order hearing, the state also
19 sort of signed off and participated in the same capacity as the
20 as the Federal Government.

21 Q. Okay. In Sections (e) and (f), when we say that the
22 exempt quota and exempt quota premium values mean the value per
23 pound of nonfat solids as calculated, and so on, we're having a
24 hard time finding direction, if you will, in the reference
25 Sections of California Code. And we're unclear on how exactly

1 we should do those calculations.

2 A. Right.

3 Q. I think what would really help us is if we had the
4 referenced sections of the California Code entered into the
5 record so we all had kind of a common ground to reference
6 and --

7 A. If after this, if you would allow me to consult with,
8 you know with counsel on that, I have an idea, but I don't want
9 to speak out of turn without -- without --

10 Q. Understood.

11 A. -- counsel in that regard. Thank you.

12 Q. Okay. That would, it would definitely help us. I
13 think otherwise we're clear on the intent of the proposal, and
14 we feel comfortable enough at this point with the rest of your
15 proposed language, so I think that's all we have.

16 A. Thank you, Mr. Richmond. I appreciate it.

17 Q. Thank you, Mr. Tosi.

18 JUDGE CLIFTON: Before I invite redirect, are there other
19 cross-examination questions for Mr. Tosi on this topic?
20 Mr. English?

21 CROSS-EXAMINATION

22 BY MR. ENGLISH:

23 Q. In a way, there's a little bit of follow up. If, when
24 you are doing that. Those sections are actually pretty long,
25 and so I guess to the extent that you can also sort of pinpoint

1 what we should be looking at, because even had I had a little
2 trouble, Mr. Tosi, trying to figure out where these all fit
3 together, so if you are doing that, I would just say if you
4 could also look at whether there are sub parts of it or clauses
5 you can point it to, or if you put the statute in, maybe you
6 highlight the sections that you are relying on, something to
7 give us all something to attach it to.

8 JUDGE CLIFTON: All right. Let's see. How are we doing
9 time-wise? We have got a lot of time. So was it your
10 intention, Ms. Hancock, to have him now testify with regard to
11 Proposal 4 when we're finished with Proposal 3?

12 MS. HANCOCK: It was, your Honor, but --

13 JUDGE CLIFTON: Why don't you come to the podium and let's
14 talk about what you and Mr. Tosi want to do.

15 MS. HANCOCK: So I mean, we can either pause here, leave
16 his testimony open, come back and address the California Code
17 provisions, and move to Mr. Tosi's testimony on the Ponderosa
18 Proposal --

19 JUDGE CLIFTON: You know, that might be good, because we
20 know Mr. Tosi's coming back with regard to Exhibit 168. And if
21 we had his statement with regard to Proposal 4, then people
22 would have that overnight and that would be good. So I think
23 it would be good to begin the Proposal Number 4, testimony even
24 though we won't make much progress on it tonight. Would that
25 be all right?

1 MS. HANCOCK: You know, honestly, your Honor, I think what
2 I would, given what time it is and by the time we get going,
3 what I would prefer to do is give Mr. Tosi a little bit of
4 opportunity to have us kind of pow-wow for a moment about where
5 we are right now, and make sure that we have everything ready
6 to go on the other proposal, and maybe give him a break. I
7 know we're finishing 15 minutes or so early.

8 JUDGE CLIFTON: No, we wouldn't finish. We'd give you a
9 little time and have you come back and give us a report.

10 MS. HANCOCK: What I'm proposing is that we just finish
11 now, especially since the court reporter had a shorter lunch,
12 maybe we can finish now, and then I can get everything
13 organized ready to go and be a little more streamlined in the
14 morning, and Mr. Tosi will be fresh and ready to go.

15 JUDGE CLIFTON: All right. Tell me what your proposal is
16 for tomorrow, then, Ms. Hancock.

17 MS. HANCOCK: So tomorrow my proposal would be to put on
18 the California Code Sections with Mr. Tosi, and clean up the
19 language that we have talked about modifying tonight, and see
20 if we can get that in as clean of shape as we can for tomorrow.
21 And then we will put him on for, in fact, since Mr. DeGroot
22 will be here, it will be nice to break him up, so then I will
23 put on Mr. DeGroot which will finish up our California Producer
24 Handler Association presentation of evidence. And then I will
25 officially move to Ponderosa's Proposal, which will then be

1 Mr. DeGroot and Mr. Tosi again on just those two topics.

2 JUDGE CLIFTON: Okay. Now, we have the gentleman from
3 Maine tomorrow. Let's talk about what else we know we have
4 coming tomorrow. Mr. Beshore?

5 MR. BESHORE: Yes. We do have a producer and a second
6 producer, two producer witnesses whose time window, I just
7 learned, is basically 11:00 to 1:00.

8 JUDGE CLIFTON: Okay. And what else do we know about
9 tomorrow? Are we expecting other people that we haven't
10 identified yet that we know about? Pardon? You are talking
11 about beginning rebuttal?

12 MR. BESHORE: If we -- if we do reach that point, we would
13 be prepared to start our rebuttal case tomorrow with some
14 testimony from Mr. Hollon.

15 JUDGE CLIFTON: Okay.

16 MR. BESHORE: Hollon X plus 1, X plus 2.

17 JUDGE CLIFTON: Mr. English?

18 MR. ENGLISH: I have something to help fill the time. I
19 think I mentioned earlier today that I was seeding the time
20 because I knew we were in a hurry to get things done, that I
21 had a couple of housekeeping things.

22 JUDGE CLIFTON: Oh, you did, as a matter of fact.

23 MR. ENGLISH: And the housekeeping is ready to go and since
24 we have time, we could, you know, it won't take long.

25 JUDGE CLIFTON: All right. Well, then may I allow Mr. Tosi

1 to step down?

2 MR. ENGLISH: Yes.

3 JUDGE CLIFTON: Mr. Tosi, to be continued.

4 MR. TOSI: Yes, your Honor, I understand thank you.

5 JUDGE CLIFTON: Thank you so much. You may step down. So,
6 Judge Palmer -- Judge Clifton?

7 MR. ENGLISH: Well, and one of them is called the Grievance
8 Board, which is very funny, but it is obviously not correct.

9 JUDGE CLIFTON: Yeah, we had a court reporting service that
10 couldn't quite get United States Department of Agriculture on
11 the top line of the heading, and then the second line saying
12 Before the Secretary of Agriculture, rather it always came out
13 Grievance Board United States Department of Agriculture.

14 MR. ENGLISH: So your Honor, just by way of explanation,
15 earlier in the proceeding we had a number of witnesses, and I
16 asked questions about previous testimony. And we never really
17 had, we got that for CDI, and we had that with DFA, we never
18 really had that with Land O'Lakes, because the witness who
19 testified for Land O'Lakes in the pooling, P-O-O-L-I-N-G,
20 hearings post-Federal Order Reform, was a Mr. Jim Hahn, another
21 former USDA employee, who then went to work for Land O'Lakes,
22 and he testified at two different proceedings. And these would
23 be admissible under Rule 801(d)(2), which are the statements of
24 a party. They are authenticated on the ground that they are
25 sworn transcript statements, and so they are clearly admissible

1 under 801(d)(2). And if Mr. Beshore wants to stand up, he can
2 do so.

3 MR. BESHORE: So I object to the testimony of Mr. Hahn
4 being offered here. He's not here, will not be here, and it's
5 certainly hearsay -- hearsay as to him clearly. With respect
6 to Federal Rule of Evidence 801(d)(2), it is abundantly clear
7 that the Federal Rules of Evidence do not apply in these
8 proceedings. They certainly do not apply as a shield, since
9 objections to the, to the non-admissibility of items under the
10 Federal Rules of Evidence have been uniformly overruled.

11 By the same token, the Federal Rules of Evidence should
12 not be able to be used as a sword, which is the manner in
13 which, 801(d)(2) is proposed to be used with respect to these
14 documents. So, Federal Rules of Evidence don't apply; it's
15 clear they have been held not to apply; they don't apply as a
16 shield, they should not be able to be used a sword; Mr. Hahn is
17 not here; it is inappropriate for his testimony to be brought
18 in presumably against his then employer, you know, we don't
19 have parties, etcetera, I won't even go beyond that in
20 objecting, but I do object.

21 JUDGE CLIFTON: So, Mr. Beshore, can I be, can I take
22 official notice of testimony in prior Milk Marketing hearings?

23 MR. BESHORE: I don't think that comes within the purview
24 of Administrative or Official Notice. I mean, certainly
25 decisions of the Department do, but the testimony of, at

1 hearings is of a completely different character.

2 JUDGE CLIFTON: All right. Mr. English, I'll hear you.
3 First of all, let's mark these so that whatever I decide we
4 know what we're talking about. Which one --

5 MR. BESHORE: Well, I think we marked them in order, your
6 Honor, which is to say the one that is unhappily labeled
7 Grievance Board, United States Department of Agriculture, and I
8 didn't mean the pun there. But the Grievance Board one that is
9 dated June 2001, where you were the Presiding Judge, I would
10 say would be the next number.

11 JUDGE CLIFTON: All right. Let's call that 168, Ms. May?
12 No, 169. Thank you. Mr. Tosi's is 168, yes.

13 That's interesting that I was doing this in 2001. You
14 would think I would know more by now, wouldn't you? All right.
15 I need to do it more often.

16 (Thereafter, Exhibit Number 169, was
17 marked for identification.)

18 MR. ENGLISH: And then the other one would be 170, your
19 Honor.

20 JUDGE CLIFTON: 170, yes.

21 (Thereafter, Exhibit Number 170, was
22 marked for identification.)

23 MR. ENGLISH: The Grievance Board is the first one, which
24 is 2001, and the 2004 one, which is before the Secretary of
25 Agriculture, dated August 16, 2004, would be the second one.

1 JUDGE CLIFTON: So Mr. English, I hope in your response you
2 will give me some idea why testimony in 2001 with regard to a
3 whole different region of the country would be relevant, and
4 same thing with regard to 170?

5 MR. ENGLISH: Well, both of them, your Honor, in those two,
6 Mr. Hahn was speaking to two issues that we have heard a lot
7 about, that is performance standards and their importance in
8 Federal Order and depooling, which we have heard a lot about.
9 And Land O'Lakes position with respect to performance standards
10 and depooling. So that would go to relevance.

11 They are clearly authentic, they are sworn transcript
12 statements taken from USDA's web sites, and I disagree with
13 Mr. Beshore with respect to the extent that Federal Rules of
14 Evidence don't apply, it's because in Administrative
15 Proceedings evidence is more freely available, not less. His
16 statement that this is hearsay is precisely what Rule 801(d)(2)
17 goes to. Rule 801 is, these are statements that are not
18 hearsay, that is the express determination. So this would be
19 material that could be admitted in a Federal Court, if we were
20 marching down next Monday to see Judge Ishi in the Federal
21 District Court here in Fresno, these statements would be
22 admissible. They do not have to be admitted against, that's
23 the critical part of 801(d)(2).

24 You only need to meet one of six categories, and we
25 meet four of five of them. The first one is, was the person

1 speaking for himself or in a representative capacity? He's
2 clearly speaking in a representative capacity for Land O'Lakes.
3 It's not hearsay, it is authentic, and it is relevant. It is
4 clearly admissible. And to simply say no, something that is
5 not hearsay under the Federal Rules can't be admitted in an
6 Administrative Proceeding, is to overturn the entire concept of
7 how evidence comes into these proceedings.

8 JUDGE CLIFTON: Why is he talking about California in
9 Exhibit 169?

10 MR. ENGLISH: Because, your Honor, at that time there were
11 some provisions in the Federal Orders that permitted the
12 ability to pool milk both on the Federal Orders and on
13 California State Order at the same time. Do you recall that
14 now?

15 JUDGE CLIFTON: I do. That makes me more interested in it.

16 MR. ENGLISH: So I mean, your Honor, the idea that this is
17 hearsay is preposterous. It has been expressly found not to be
18 hearsay. If it is admissible in a Federal court, the whole
19 idea of evidence for administrative proceedings is to make it
20 easier, not harder. So this idea of a sword/shield analysis,
21 it simply doesn't hold water. I move admission of these
22 documents.

23 JUDGE CLIFTON: Were there any corrections to the
24 transcript that would affect these pages, Mr. English?

25 MR. ENGLISH: I, your Honor, these were the official pages

1 as put up on the website by USDA. If there were transcript
2 corrections, I would hope that they were included. I, if they
3 weren't, all I can say is this is what came from the USDA
4 website, as the transcripts that were published.

5 JUDGE CLIFTON: Okay. You can't -- you can't assume that
6 corrections are incorporated. What normally happens is,
7 transcript's posted, people propose corrections, the Judge
8 indicates what corrections are being made, those are separate
9 documents. And the separate documents may or may not get
10 posted. They are in the file somewhere, which this long ago,
11 14 years ago, may be somewhat difficult even for me to
12 retrieve.

13 MR. ENGLISH: Actually, your Honor, they, I mean, I don't
14 know if the transcript, I'll have to look at website, but I
15 would think that maybe the transcript corrections would also be
16 posted. If you want me to go look, I will. We certainly have
17 had other transcripts and we know there were some errors in
18 some of the CDFA materials, so I guess I can't answer that
19 question. But this is the testimony as is currently available,
20 and you know, I do think that they, they are plainly
21 admissible. And I will indicate that, you know, whether they
22 have been expressly somehow overruled, as Mr. Beshore says, the
23 interesting thing is that they often, the Rules of Evidence
24 nonetheless get cited in a lot of Administrative Law cases.
25 And again, for the proposition if it is admissible in Federal

1 Court, it ought to be admissible here.

2 JUDGE CLIFTON: Mr. Beshore?

3 MR. BESHORE: If I might very quickly. As far as official
4 notice goes, your Honor, 900.8, I think it is (d)(5) defines
5 official notice in these proceedings as "matters that are
6 subject, that may be officially noticed by the courts of the
7 United States, or any other matter of technical, scientific, or
8 commercial fact of established character," and hasn't even been
9 argued that it fits into those things, relating to official
10 notice, but I was responding to Judge Clifton's inquiry.

11 One the reasons that the Federal Rules of Evidence
12 don't apply, there are all kinds of reasons, and why the rules
13 that are made for court proceedings don't apply is we don't
14 have parties in these rule making proceedings in the same way
15 that you have parties in adjudicatory matters of litigation, to
16 which, the admission of a party opponent (d)(1) and (d)(2) is
17 addressed to situations where you have parties and that sort of
18 thing. I'm not sure -- I'm not sure what else to say.

19 It is not, performance standards is such a, you know, I
20 mean, a general topic of relevance in Federal Order hearings,
21 if something said by someone employed by one of the
22 participates in this hearing 15 years ago can come in because
23 it was a Federal Order hearing, there's absolutely no limit to
24 the scope of what, what might come in. And, you know, I object
25 to its admission.

1 JUDGE CLIFTON: Ms. Hancock, would you like to be heard?

2 MS. HANCOCK: Your Honor, I don't really have a dog in this
3 fight, but my concern is the precedent that we set for
4 something that might come into the record down the road, so
5 just for my two cents, I believe that the Hearing Notice
6 specifically even said if someone is going to provide
7 testimony, it has to be subject to cross-examination. And
8 that's my understanding of how this is designed to work. And
9 by putting in evidence from, you know, other hearings where the
10 context is different, the parties have different information,
11 I'm hoping that we have evolved at least some since then. I
12 think that it risks taking information out of context, and
13 certainly I wasn't present at those hearings, and I don't have
14 the opportunity to cross-examination and flesh out any issues
15 that might pertain to my witnesses or my parties or my
16 position. And I don't feel that it's appropriate to put
17 testimony in.

18 If there was a witness on the stand and this
19 information was used to contradict them or somehow, you know,
20 flesh out whether there's a difference compared to what had
21 happened historically in another proceeding, that would be
22 different. But just to put a testimony into the record cold
23 without it, somebody putting it into context or somehow
24 authenticating or standing for the propositions that it's being
25 proposed for, I think it raises some significant concerns.

1 Now, I recognize that there's a different risk here
2 because there's not a jury, and you have a very smart group of
3 people that is our audience, but I still think for purposes of
4 building our record, it risks some confusion and it just does
5 also invite kind of a document dump at the end of any
6 proceeding just to fill the record full of information that
7 people would have to wade through in order to preserve
8 positions that nobody has had an opportunity to consider. So
9 that's just my two cents on it.

10 JUDGE CLIFTON: Mr. English?

11 MR. ENGLISH: Your Honor, the whole point of 801 (d)(2),
12 and I have done it repeatedly in my career, and I have had this
13 fight repeatedly in my career, and I'm not going to tell you
14 how it all comes out because I'm not trying to influence you on
15 that, but the bottom line is, the reason the rule exists is
16 actually to allow exactly what I just did.

17 It doesn't matter about cross-examination. I will note
18 that Mr. Schad is here and he can come back up on the stand,
19 he's going to be apparently on rebuttal, I think, but that's
20 not necessary. That's the point of 801(d)(2). Is it
21 authentic, is it relevant, is it a statement? To say that we
22 don't have parties in this proceeding, please, we have parties
23 in these proceedings.

24 JUDGE CLIFTON: When you say Mr. Schad, is he identical
25 with Mr. Hahn?

1 MR. ENGLISH: He doesn't have -- the point is, Mr. Hahn was
2 testifying in a representative capacity for Land O'Lakes. He's
3 not testifying for Mr. Hahn. If I were to try to say this is
4 Mr. Hahn's statement, that's different. This is Land O'Lakes
5 statement.

6 JUDGE CLIFTON: Okay. Thank you. In this case, I agree
7 with Mr. Beshore and Ms. Hancock. If this were an ordinary
8 hearing, if I were doing an ordinary administrative hearing in
9 which I would be deciding a case between two parties usually,
10 the USDA on one side somebody else on the other, I would not
11 let this in. I would take official notice of what the Judge
12 ruled in a proceeding where people testified and I had a
13 transcript, but I wouldn't necessarily be bound by it, but I
14 would take official notice of it.

15 Here, I have got a witness in a whole different
16 proceeding, in a whole different situation, a whole different
17 timeframe, and I reject Exhibits 169 and 170.

18 Now, if employees of the Department want to thumb
19 through them for ideas, they are welcome to, but they may not
20 rely on either the testimony in 169 or 170 as evidence in this
21 case.

22 I love how we use the time. Let us call it a day. And
23 I'll see you -- oh, it's casual Friday tomorrow. And I realize
24 that we have a high official from Maine, and so if you want to
25 dress up, you may. I forgot to tell him it is casual Friday.

1 We'll go off record now at 4:56, and I'll see you in the
2 morning.

3 (Whereupon, the evening recess was taken.)

4 ---o0o---

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

COURT REPORTERS CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF FRESNO)

I, MYRA A. PISH, hereby certify:

I am a duly qualified Certified Shorthand Reporter, in the State of California, holder of Certificate Number CSR 11613, issued by the Court Reporters Board of California and which is in full force and effect.

I am not financially interested in this action and am not a relative or employee of any attorney of the parties, or of any of the parties.

I am the reporter that stenographically recorded the testimony in the foregoing proceeding and the foregoing transcript is a true record of the testimony given.

DATED: December 31, 2015

FRESNO, CALIFORNIA



MYRA A. PISH, CSR
Certificate No. 11613

	7253:14	7347:3;7366:3;	7416:11,14;7430:24;	7288:16
\$	abbreviation (1)	7372:9	7439:13;7442:16	administrating (1)
\$1,000 (1)	7404:12	accordingly (2)	add (17)	7368:25
7372:13	ability (1)	7300:5;7313:19	7230:16;7258:13;	Administration (5)
\$1.02 (2)	7438:12	account (8)	7266:11,14;7288:3;	7392:19;7414:9;
7279:13,15	able (23)	7231:6;7265:8;	7310:4,6;7312:4;	7425:17;7426:4;
\$1.2 (1)	7226:1;7227:24;	7315:16,22;7316:17;	7327:1;7333:3;	7429:15
7341:7	7228:18;7230:8;	7353:19;7376:22;	7346:1,18;7358:14;	Administrative (20)
\$1.42 (1)	7249:16;7266:3;	7378:2	7359:14;7364:14;	7221:7;7288:17,
7249:22	7288:5;7307:2;	accountable (1)	7387:10;7393:20	19;7294:14;
\$1.49 (1)	7313:18;7324:18;	7332:19	added (3)	7296:25;7303:19;
7282:24	7347:19;7349:16,25;	accountant (1)	7408:12;7428:3,4	7330:5,6,8,9,25;
\$1.80 (3)	7350:4;7362:11;	7417:8	adding (11)	7331:6,12,14;
7252:6;7281:10,	7366:17;7369:12;	Accounting (3)	7252:5;7309:16,	7435:24;7437:14;
16	7377:9;7379:9;	7223:18;7301:16;	23;7310:9,10;	7438:6,19;7439:24;
\$19,500 (1)	7384:10;7386:4;	7329:23	7398:8;7399:8;	7443:8
7344:4	7435:12,16	accounts (1)	7402:22;7403:22;	administratively (1)
\$2.03 (2)	above (15)	7330:21	7411:1;7427:6	7358:24
7279:14,15	7256:11;7257:21;	accuracy (3)	addition (6)	Administrator (6)
\$2.10 (13)	7282:15;7286:17,21;	7245:1,11;7294:9	7257:22;7307:16;	7221:19;7346:13;
7252:6;7258:21;	7287:11,14;7294:4;	accused (1)	7310:3;7341:16;	7425:5,8;7426:1,8
7259:1,3,4,5,7;	7319:18;7332:20;	7308:17	7362:21;7368:24	Administrator's (1)
7281:9,11,15,21,22;	7345:1,4;7368:25;	achieve (2)	additional (24)	7372:11
7282:2	7371:5;7415:25	7310:19;7361:10	7255:18;7261:8;	admire (1)
\$2.29 (1)	absolutely (5)	acknowledge (1)	7268:9,11;7296:17,	7389:5
7281:20	7269:21;7325:4;	7225:14	20;7307:3,11,19;	admissible (8)
\$2.50 (1)	7332:7;7416:3;	acquire (1)	7317:5;7327:16;	7434:23,25;
7372:9	7440:23	7307:9	7354:22;7358:11;	7437:22;7438:4,18;
\$2.58 (1)	abundantly (1)	acquired (3)	7366:19;7367:2;	7439:21,25;7440:1
7259:3	7435:6	7305:12;7322:9,	7371:18,20,22;	admission (17)
\$2.59 (1)	abuse (1)	12	7372:3;7375:17;	7266:21;7267:10;
7255:21	7356:9	acres (2)	7410:3;7411:8,22;	7298:18,25;7299:9;
\$2.6 (1)	accelerating (1)	7338:9,11	7427:12	7311:19,22;7347:24;
7375:11	7376:19	across (9)	additionally (2)	7381:15,18;7407:20;
\$2.76 (1)	accept (1)	7237:10;7248:9;	7257:21;7399:12	7408:9;7411:14;
7282:1	7407:18	7264:20;7334:23;	address (10)	7412:7;7438:21;
\$2.78 (1)	acceptable (2)	7341:21;7342:18;	7230:22;7246:25;	7440:16,25
7259:1	7403:24;7424:23	7347:21;7365:1;	7337:22,25;7359:9;	admit (4)
\$25,500 (1)	accepted (3)	7368:24	7360:23;7361:1;	7266:16;7298:13;
7344:6	7329:23;7407:9,	Act (4)	7423:4,4;7431:16	7381:12;7412:3
\$3.4 (1)	17	7306:3,7,10;	addressed (1)	admitted (17)
7375:13	accidentally (1)	7393:19	7440:17	7266:20,22;
\$5.6 (1)	7257:6	actions (4)	addressing (1)	7267:3,11;7298:19;
7370:5	accommodate (2)	7362:23;7376:20;	7358:23	7299:10;7311:23;
\$8 (1)	7268:5;7338:23	7393:6;7396:19	adds (2)	7333:10,10;7348:15,
7372:17	accommodated (1)	active (1)	7366:10;7397:9	16,17;7381:20;
\$82,409,768 (1)	7268:24	7368:21	adequate (3)	7412:8;7437:19,22;
7371:22	accommodation (1)	activities (2)	7342:1;7345:3;	7438:5
	7382:6	7317:9;7330:25	7412:2	adopt (8)
A	accomplish (14)	actual (7)	adjourn (1)	7288:25;7343:3;
a1 (4)	7311:16;7325:7;	7255:17;7323:5;	7269:6	7362:5;7363:3;
7399:9;7417:18;	7390:21;7391:2,18;	7330:16;7355:5,8;	adjudicatory (1)	7377:2,7;7378:5;
7419:2,6	7400:7,25;7401:17;	7369:25;7411:22	7440:15	7410:14
a2 (4)	7402:10;7410:17;	actually (25)	adjust (2)	adopted (8)
7399:12;7417:18;	7422:5;7426:15;	7245:18;7260:5;	7285:3;7295:8	7245:23;7251:13;
7419:5,8	7427:7,19	7268:3;7289:14;	adjusted (3)	7272:15;7278:2,2;
AA (5)	accomplished (2)	7294:2;7316:21;	7254:11,12;	7345:7;7354:21;
7249:15;7253:12;	7399:8,9	7322:3;7326:15;	7282:2	7377:22
7265:24;7282:19;	accomplishes (2)	7330:12,13,17;	adjustment (5)	adoption (2)
7283:2	7410:20;7411:7	7334:18;7335:18;	7288:4;7295:19,	7310:19;7324:15
AB (1)	according (8)	7367:5;7377:18;	22;7345:14,22	adopts (2)
	7316:23;7342:7,	7380:3;7382:4;	adjustments (3)	7272:20;7398:6
	13;7344:2,21;	7411:24;7415:10,13;	7243:11;7275:18;	advance (3)

<p>7223:6;7250:25; 7263:21 advanced (8) 7241:1,2,12,21; 7242:2;7250:23,25; 7251:23 advantage (12) 7304:14;7309:5, 14;7310:14; 7313:17;7317:25; 7326:5,8,9,12; 7331:16;7367:7 advantageous (1) 7341:20 advantages (1) 7306:8 adverse (5) 7361:20;7362:9; 7369:17;7377:6; 7387:2 advice (1) 7429:2 Advisory (1) 7339:24 advocacy (1) 7360:25 affect (6) 7260:1,2;7340:12; 7346:6;7397:11; 7438:24 affected (2) 7280:7;7363:6 affecting (1) 7340:9 affects (2) 7347:5;7391:6 affirm (4) 7300:22;7336:9; 7360:6;7389:23 afternoon (18) 7227:6,9;7268:18; 7287:22;7312:16,18; 7323:24;7334:1; 7335:25;7349:3; 7351:8;7360:16,17; 7382:3;7383:7; 7412:17;7419:25; 7420:1 Ag (7) 7357:10,15,17,18; 7358:2,3;7380:9 again (66) 7232:8;7235:8,17, 19;7236:19,24; 7238:7,16;7239:3,9; 7241:5;7245:21,25; 7247:16;7248:2,16, 17;7249:6;7252:22; 7253:13;7255:17; 7256:5;7258:14,18; 7263:7,14,20; 7264:7,14;7268:25; 7269:24;7278:25;</p>	<p>7280:16;7281:10; 7290:25;7292:1; 7294:10;7295:19; 7301:4;7307:3; 7310:9;7315:12; 7316:12;7334:14; 7336:13;7337:5; 7343:17;7349:19; 7350:11;7367:14; 7371:6;7374:15,21; 7376:2,24;7399:4; 7400:23;7405:1; 7407:11;7415:1; 7416:12;7418:10; 7419:18;7424:25; 7433:1;7439:25 against (9) 7309:8,12,13,15; 7332:7;7346:7; 7380:21;7435:18; 7437:22 age (1) 7368:21 agency (2) 7380:10;7381:3 Agents (1) 7369:5 aggregate (2) 7319:12;7344:10 ago (9) 7274:20;7275:16; 7284:19;7346:15; 7382:9;7386:21; 7439:10,11;7440:22 agony (1) 7418:20 agree (11) 7260:13;7267:8; 7300:3;7331:8; 7359:3;7412:4; 7415:14;7417:4,16; 7423:15;7443:6 agreement (5) 7326:11;7352:23; 7392:25;7393:18; 7429:17 agreements (1) 7426:25 Agricultural (9) 7221:22;7222:1; 7299:6;7341:2; 7369:22;7388:24; 7392:15,21;7393:18 Agriculture (25) 7221:9,12,20; 7231:6,8,11; 7327:19;7334:11; 7338:4;7341:12; 7357:25;7368:1; 7369:6;7379:10,14, 17,23;7384:4; 7392:18;7408:25; 7434:10,12,13;</p>	<p>7436:7,25 ahead (5) 7252:15;7260:16; 7301:12;7390:13; 7398:2 aid (1) 7339:8 air (1) 7389:7 aircraft (1) 7252:24 airplane (1) 7252:14 Airport (3) 7252:25;7271:14, 20 AK (2) 7253:14;7256:25 AL (3) 7257:2,3,9 alert (1) 7230:23 alerted (1) 7260:13 align (1) 7324:8 alike (1) 7366:11 alleviate (1) 7384:13 alliance (1) 7317:11 allied (2) 7368:7,10 all-inclusive (2) 7276:3;7281:6 allocate (3) 7331:6,15;7343:1 allocation (2) 7251:16,18 allow (13) 7251:6;7269:7; 7331:15,17;7345:22; 7350:16;7362:20; 7391:16;7411:8,11; 7430:7;7433:25; 7442:16 allowance (18) 7246:2;7288:20; 7289:10;7291:5,11, 13,14,18;7292:8,14; 7293:7,22;7294:14, 15,16;7295:11,25; 7296:25 allowances (4) 7254:15;7295:12, 13;7307:10 allowed (4) 7263:25;7322:13; 7339:18;7386:7 allowing (2) 7311:17;7367:23 almost (3)</p>	<p>7341:18;7342:10; 7365:23 alone (3) 7307:9;7372:14; 7373:8 along (4) 7311:9;7341:10; 7373:25;7390:23 Alouette (1) 7302:3 alphabet (1) 7257:1 alter (1) 7311:4 alternative (10) 7247:23;7280:7; 7294:20;7295:21; 7297:10,13;7362:16; 7363:2;7377:13; 7378:4 although (4) 7268:22;7307:13; 7339:23;7418:22 always (11) 7225:15;7287:13; 7332:10;7359:1; 7361:12,12;7366:13; 7386:25;7418:23; 7420:2;7434:12 amazed (1) 7224:19 amazing (1) 7318:21 ambivalent (1) 7229:11 amend (3) 7396:25;7402:6; 7428:3 amended (10) 7243:16;7398:8; 7399:13;7400:9; 7401:10,19;7403:22; 7404:18;7413:8; 7424:15 amending (1) 7399:9 amendment (6) 7306:16,16,22,25; 7307:9;7345:23 amendments (6) 7243:11;7308:15; 7374:1;7386:17; 7391:1;7413:10 America (5) 7222:14;7302:5; 7340:17;7363:24; 7392:24 American (1) 7340:15 Amidst (2) 7365:11,17 among (3) 7226:14;7365:1;</p>	<p>7394:18 amount (11) 7254:25;7305:1; 7325:24;7327:5; 7332:20;7342:2; 7370:7;7379:21; 7406:20;7413:6,14 amounts (1) 7329:12 AMS (7) 7222:5;7225:3,19; 7235:1;7238:2; 7241:6;7283:23 analysis (29) 7234:19;7236:8, 24;7237:18; 7240:15;7246:1; 7247:6;7253:22; 7288:23;7339:8; 7343:13;7344:22; 7345:12,13;7346:5, 9,20;7347:3; 7348:11;7361:16,18; 7362:23;7369:18; 7374:17,23;7375:17, 20;7384:19;7438:20 analyze (1) 7233:4 and/or (5) 7260:6;7312:9; 7333:2;7362:8; 7377:6 animal (4) 7340:10;7354:11; 7363:9;7393:1 Ann (1) 7302:10 announced (10) 7235:1;7242:3; 7244:2,24;7245:18, 19;7248:18; 7259:22;7272:19; 7304:23 announcement (1) 7241:3 announcements (1) 7224:25 annual (15) 7234:16;7246:7; 7255:9;7266:3; 7273:19;7278:21; 7279:10,15,16; 7280:4;7331:11; 7344:8;7370:20; 7371:14;7375:8 annually (5) 7341:1,3;7344:1, 2;7375:11 another's (1) 7231:14 anticipate (3) 7227:4;7275:18; 7377:24</p>
--	--	---	---	--

anticipated (1) 7321:2	7333:6;7337:20; 7351:10;7356:7;	7400:4	7341:15	7441:24
anymore (5) 7285:21;7323:1; 7328:16,17;7386:18	7380:6;7383:10; 7385:10;7387:23,25; 7388:4;7412:23;	arriving (3) 7288:8;7299:16; 7384:25	assured (1) 7342:1	author (1) 7395:21
AO (2) 7257:11;7278:7	7419:16;7422:10; 7430:16	articulated (1) 7427:25	Atlanta (1) 7346:13	authored (1) 7395:25
AP (4) 7257:12;7278:17, 17;7376:9	appreciation (1) 7329:20	Ashley (3) 7223:8;7232:13; 7302:11	attach (1) 7431:7	authorized (1) 7385:22
apologize (1) 7337:17	approach (5) 7249:20;7251:3; 7255:15;7311:14; 7325:5	aspect (2) 7391:5;7421:4	attached (4) 7325:22;7378:15; 7407:25;7412:3	automatically (1) 7254:11
apostrophe (1) 7399:1	approached (1) 7224:23	aspects (2) 7393:6;7424:20	Attachment (11) 7232:5,20,22; 7243:3,12;7288:6; 7289:3;7295:4; 7296:22;7297:1; 7298:1	AV (1) 7257:19
Appalachian (4) 7346:24;7347:5; 7372:10;7376:10	approaches (1) 7246:20	assembled (1) 7353:10	attainable (1) 7369:15	available (17) 7225:16,19; 7228:22,25;7229:8; 7230:12;7231:23; 7269:8;7271:24; 7292:3;7347:25; 7348:23;7369:2; 7381:9,23;7437:15; 7439:19
Appalachians (1) 7343:20	approaching (1) 7225:13	assessment (2) 7340:5;7375:22	attempt (1) 7384:13	average (54) 7234:17;7235:7, 16;7238:13;7239:5, 6,8,13,24;7241:20, 21;7246:8,9,11; 7249:17,20,21; 7255:10,12,13; 7256:5;7258:16; 7264:21,22;7265:2, 3,5;7266:1,4; 7277:19,23;7278:9, 21;7279:11;7281:8, 10;7292:4;7315:7; 7319:16,17,19; 7320:12;7343:21,25; 7344:3,4,7,11; 7367:18;7371:19; 7372:11;7374:25; 7375:10;7380:21
apparent (1) 7345:5	appropriate (4) 7269:13;7275:9; 7419:19;7441:16	asset (5) 7306:13;7307:14, 21;7308:8;7327:11	attempted (3) 7233:4;7234:1; 7276:12	
apparently (2) 7229:17;7442:19	approval (2) 7363:7;7378:10	assigned (1) 7225:4	attempting (1) 7311:4	
appear (4) 7256:25;7292:13; 7334:10;7411:24	approved (1) 7384:9	assist (1) 7273:23	attended (1) 7334:18	
appearance (3) 7221:17;7334:7; 7369:19	approximate (1) 7315:6	assistance (1) 7392:23	attention (5) 7237:3;7284:7; 7339:7,17;7358:21	
appearances (2) 7221:10;7334:3	approximately (7) 7221:3;7225:20; 7304:5,11;7319:11; 7351:14;7372:11	Assistant (2) 7221:19;7396:4	Attorney (5) 7222:12,17; 7231:3;7312:17; 7385:23	
appearing (1) 7390:16	AQ (1) 7257:16	assisted (2) 7393:16;7396:7	attorneys (2) 7393:16,20	
appears (4) 7261:11;7300:14; 7350:18;7359:25	AR (1) 7257:16	assisting (1) 7396:18	attributable (1) 7291:3	
append (1) 7261:6	area (13) 7294:1;7322:5; 7343:7,8;7349:6,7, 25;7350:9,15,17; 7351:19;7362:10; 7396:20	associated (2) 7235:17;7254:3	AU (1) 7257:18	averages (7) 7234:16;7240:8; 7249:17;7255:9; 7265:9;7266:3; 7327:2
apples (7) 7244:21,22; 7245:4;7254:6,18, 20,20	arguably (1) 7260:6	Association (23) 7223:16,21; 7224:8,16;7228:24; 7229:2;7301:6,25; 7311:3;7334:19,23; 7337:8;7340:16; 7346:4;7349:4; 7361:5;7363:14; 7371:8;7379:3,6; 7390:17;7405:8; 7432:24	audio (3) 7225:16;7388:25; 7389:3	avoid (2) 7311:12;7362:25
application (2) 7243:14;7272:21	argued (1) 7440:9	associations (2) 7402:5;7404:17	audit (6) 7314:8;7325:8; 7331:21;7332:6,21, 23	AW (1) 7257:19
applied (2) 7240:18;7259:7	argument (1) 7230:22	assume (3) 7385:21;7429:5; 7439:5	audited (4) 7314:3,13; 7315:23;7332:19	aware (8) 7354:18;7355:11, 12;7356:17;7407:3; 7411:1;7414:1; 7427:2
applies (2) 7241:15;7293:17	arguments (2) 7274:25;7384:18	assumed (4) 7291:19,22; 7309:4;7355:10	audits (1) 7314:3	awareness (1) 7369:1
apply (17) 7240:10;7242:19; 7247:19;7254:7; 7255:5,6;7379:4; 7387:3;7426:7; 7435:7,8,14,15,15; 7437:14;7440:12,13	arise (2) 7358:20;7359:5	assuming (2) 7229:23;7314:20	August (3) 7244:8;7248:21; 7436:25	away (4) 7306:8;7367:1; 7379:24;7388:14
applying (3) 7233:4;7244:4; 7339:10	arithmetic (1) 7299:3	assumption (6) 7238:24;7243:22; 7244:14,16,21; 7245:23	authentic (3) 7437:11;7438:3; 7442:21	awhile (2) 7346:15;7382:23
appreciate (22) 7227:22;7270:12; 7272:2;7296:6; 7321:17;7323:25; 7325:15;7326:19;	around (9) 7230:8;7234:18; 7271:21;7284:24; 7331:20;7334:20; 7365:19;7369:14; 7418:4	assure (3) 7227:19;7228:7;	authenticated (1) 7434:24	AX (4) 7257:21,22; 7258:24;7282:1
	arrangement (2) 7275:22;7426:22		authenticating (1)	
	arrive (1)			

<p>B</p> <p>B5 (1) 7376:16</p> <p>BA (1) 7302:8</p> <p>Bachelor (2) 7338:4;7392:14</p> <p>back (48) 7221:2,14; 7225:21,25;7230:11; 7234:18;7237:21; 7238:8;7243:13; 7246:22;7248:7; 7260:24;7261:2; 7265:14;7271:3; 7280:15;7288:22; 7289:22;7290:4,7; 7303:11;7306:12; 7313:7;7322:23; 7333:19;7334:2,20; 7346:21;7353:20; 7357:13;7364:9; 7372:23;7379:23; 7383:1;7388:15; 7403:10,13;7411:16; 7414:5;7416:20; 7419:17;7424:1; 7427:16;7428:22; 7431:16,20;7432:9; 7442:18</p> <p>background (3) 7363:8;7367:2; 7392:10</p> <p>backwards (1) 7255:14</p> <p>bad (2) 7355:4;7411:18</p> <p>bakery (1) 7396:8</p> <p>balance (6) 7307:16,17; 7308:9;7320:6,9; 7342:3</p> <p>balancing (1) 7366:3</p> <p>Baldwin-Wallace (1) 7392:14</p> <p>bale (1) 7385:6</p> <p>bank (1) 7330:21</p> <p>bankruptcy (1) 7396:19</p> <p>Bar (4) 7396:12,15; 7412:18,22</p> <p>barn (1) 7338:23</p> <p>barns (2) 7339:3,14</p> <p>barrel (2)</p>	<p>7238:2;7294:11</p> <p>barrels (3) 7235:10;7236:23; 7239:12</p> <p>base (22) 7251:24;7252:5; 7254:4,4,9,17; 7255:11,13,20; 7257:14;7281:4,6; 7283:15,24;7355:18; 7367:19;7370:1; 7371:19;7380:20,22; 7384:20;7414:7</p> <p>based (39) 7233:19,25; 7235:15;7236:21; 7238:12;7240:16,17; 7243:5,9;7244:9,19; 7246:13,21,22; 7247:25;7248:13,18; 7249:13;7250:17,18; 7251:15;7254:1,1,2; 7255:24;7264:23; 7279:8;7305:1; 7306:11;7313:23; 7320:25;7321:5; 7327:20;7331:25; 7343:8;7352:7,14; 7353:18;7384:18</p> <p>basic (3) 7245:23;7396:3; 7424:19</p> <p>basically (21) 7226:20;7294:18; 7316:25;7322:14; 7332:22;7343:19; 7346:2,12,18; 7347:1;7352:2; 7353:17,19;7357:22; 7384:8;7397:18,23; 7423:11;7427:9; 7428:1;7433:7</p> <p>basis (7) 7313:22;7323:5,6; 7331:11;7349:12; 7365:3;7386:2</p> <p>battle (2) 7341:23;7418:18</p> <p>became (4) 7322:21;7363:18, 25;7393:15</p> <p>BECKER (2) 7222:3,3</p> <p>become (4) 7322:15;7324:16; 7328:14,18</p> <p>becomes (1) 7401:22</p> <p>bedding (1) 7339:13</p> <p>began (4) 7232:2;7364:17; 7370:4;7392:17</p>	<p>begin (19) 7248:8;7256:13; 7257:2,9;7259:9; 7261:7,16;7297:21; 7298:10;7312:8,13; 7325:18;7348:25; 7381:25;7395:11; 7401:23;7402:21; 7412:14;7431:23</p> <p>beginning (14) 7221:10;7248:7; 7256:14,22;7257:8; 7259:18;7261:9,17, 25;7263:18;7310:9; 7375:4;7403:16; 7433:11</p> <p>begins (6) 7237:9;7261:4; 7403:17;7404:7; 7405:14;7420:6</p> <p>behalf (15) 7223:4,25;7224:2, 15;7269:20,21; 7339:23;7345:9; 7352:18;7361:4; 7362:2;7376:24; 7379:2,4;7390:16</p> <p>belabor (2) 7271:12;7416:12</p> <p>belief (1) 7384:17</p> <p>believes (1) 7362:24</p> <p>below (4) 7233:21,24; 7266:7;7376:16</p> <p>beneficial (1) 7289:6</p> <p>benefit (11) 7304:15,19,21; 7305:11;7307:5; 7308:16;7312:20; 7317:18,19;7327:7; 7362:1</p> <p>benefits (5) 7307:25;7308:25; 7310:15;7331:16; 7369:16</p> <p>Berea (1) 7392:12</p> <p>BESHORE (92) 7222:11,11; 7229:21,21;7230:12; 7257:4;7269:5,6; 7272:2,5,7;7273:15, 16;7274:22;7275:4, 7,9;7276:5,6,10,18, 22;7277:2,9,12,14; 7278:19;7279:2,3; 7280:2,3,12,16,21; 7281:22,24;7282:10; 7283:12,20,21; 7285:21;7287:24;</p>	<p>7296:13,15,17; 7297:22,24,25; 7298:24,25;7299:5, 7;7318:5,7,8,21,25; 7319:2;7330:1; 7351:4,6,7;7356:12, 14;7357:1;7383:4,6, 7;7385:11,13; 7419:22,24,25; 7420:1;7422:1; 7423:23;7424:1,11; 7433:4,5,12,16; 7435:1,3,21,23; 7436:5;7437:13; 7439:22;7440:2,3; 7443:7</p> <p>B-E-S-H-O-R-E (1) 7222:12</p> <p>best (10) 7229:7;7302:10; 7344:23;7357:12; 7376:17;7384:22; 7405:21;7410:15; 7420:4;7421:24</p> <p>better (2) 7329:20;7384:24</p> <p>beyond (4) 7305:25;7328:3; 7407:3;7435:19</p> <p>bid (3) 7309:7,9,11</p> <p>bidding (1) 7310:14</p> <p>bids (4) 7308:18;7309:12, 15;7310:13</p> <p>big (2) 7245:9;7357:7</p> <p>bigger (1) 7414:17</p> <p>Bill (7) 7323:24;7331:1; 7332:13;7356:6; 7383:25;7384:3; 7428:15</p> <p>billion (18) 7340:25;7341:3,5, 7;7342:6,8,9; 7344:11;7355:9,15; 7365:25;7366:2,2,4, 5;7367:12,16;7375:9</p> <p>bit (21) 7246:19;7250:18; 7254:6;7255:3,3; 7281:5;7294:24; 7319:18;7321:15; 7344:7;7349:6; 7351:24;7353:16; 7379:13;7384:4,21; 7406:14;7419:16; 7425:17;7430:23; 7432:3</p> <p>blaze (1)</p>	<p>7228:16</p> <p>blend (15) 7272:10,18,19,22, 24;7277:4;7304:23, 24;7326:18,22; 7343:20;7354:14; 7398:15;7420:10; 7421:13</p> <p>blended (2) 7305:2;7326:1</p> <p>bles (3) 7335:15,15,15</p> <p>block (19) 7233:12;7235:5,7, 10,12;7238:2,16; 7239:12;7241:10,14, 16;7249:20;7263:4, 6;7264:10;7291:9; 7293:11;7294:10,11</p> <p>blocks (5) 7235:4,10; 7236:21,23;7239:12</p> <p>Board (15) 7339:22,24; 7340:14,20,21; 7352:12,13;7354:5, 9;7368:7;7434:8,13; 7436:7,8,23</p> <p>body (1) 7243:13</p> <p>bold (2) 7397:1,6</p> <p>bolded (6) 7397:7;7398:4,19; 7399:4;7401:24; 7402:2</p> <p>bolding (1) 7399:7</p> <p>bonus (1) 7321:5</p> <p>bonuses (2) 7320:22;7332:15</p> <p>booked (7) 7306:13;7308:9, 12;7327:15,16; 7329:11,21</p> <p>books (9) 7326:16;7327:16; 7328:24;7329:3,11, 22,24;7330:1; 7331:22</p> <p>borne (1) 7366:10</p> <p>both (33) 7229:2,15;7234:5; 7235:10;7239:15; 7244:25;7250:16; 7253:5;7300:16; 7301:3;7311:1; 7314:4;7315:22; 7318:5;7321:6; 7322:4;7323:21; 7325:16;7333:8;</p>
--	---	---	--	--

<p>7334:12;7335:25; 7342:15;7361:3; 7364:24;7365:7; 7366:9;7382:5; 7388:3;7400:3; 7417:23;7420:20; 7437:5;7438:12</p> <p>bottom (14) 7234:13,16; 7253:21;7266:2; 7289:23;7291:2; 7310:3;7346:16; 7348:3;7395:5; 7410:13;7420:6; 7424:14;7442:15</p> <p>bought (2) 7286:14;7328:20</p> <p>bound (1) 7443:13</p> <p>boxes (2) 7225:22;7280:22</p> <p>boy (2) 7232:6;7328:1</p> <p>Branch (1) 7393:4</p> <p>branded (1) 7303:15</p> <p>break (27) 7259:9,13;7260:8, 11,15,17,18;7261:1; 7265:13;7267:16; 7268:20;7269:24; 7270:15;7271:5; 7289:6,8;7290:1,6; 7294:8;7333:11,14; 7382:22;7389:10; 7403:6,12;7432:6,22</p> <p>breaking (2) 7368:22;7403:8</p> <p>breaks (1) 7289:22</p> <p>Brian (1) 7222:8</p> <p>Bridgett (1) 7222:18</p> <p>B-R-I-D-G-E-T-T (1) 7222:18</p> <p>brief (5) 7230:5,21;7231:1, 2,4</p> <p>briefing (1) 7230:17</p> <p>briefly (1) 7378:14</p> <p>briefs (6) 7230:19,20,20,24; 7231:15;7393:17</p> <p>brim (1) 7346:24</p> <p>bring (10) 7296:18;7320:7; 7342:2;7369:1; 7397:17,20,22;</p>	<p>7409:1,6;7410:16</p> <p>bringing (4) 7413:10;7416:3; 7419:20;7427:19</p> <p>brings (4) 7292:6;7367:3; 7387:18;7397:25</p> <p>broad (2) 7272:17;7393:5</p> <p>broadcasting (1) 7225:15</p> <p>broadly (1) 7233:1</p> <p>broken (4) 7291:10,11; 7293:2;7410:7</p> <p>broker (2) 7320:6,9</p> <p>brokers (3) 7304:10;7305:15; 7320:2</p> <p>Brooklyn (1) 7396:8</p> <p>brought (15) 7245:20;7301:15; 7318:10;7350:22,23; 7351:9,11;7373:20; 7387:19;7393:23; 7394:6,7;7395:25; 7413:4;7435:17</p> <p>Broughton (1) 7337:22</p> <p>Brown (1) 7364:11</p> <p>build (1) 7364:10</p> <p>building (1) 7442:4</p> <p>built (1) 7338:23</p> <p>bulk (1) 7366:9</p> <p>bunch (1) 7318:14</p> <p>business (15) 7302:6,8;7303:11, 15;7305:17,22; 7307:20,22;7317:6, 9;7329:16;7331:25; 7332:4;7368:1,22</p> <p>butter (19) 7234:24;7236:16; 7237:17,19;7239:10, 14;7240:7,13,17; 7242:19;7250:15; 7292:24,25;7293:15; 7294:2;7302:4,6; 7304:1;7321:19</p> <p>butter/powder (1) 7302:17</p> <p>butterfat (6) 7242:10;7243:8; 7248:10;7263:10;</p>	<p>7264:4;7419:9</p> <p>buy (4) 7228:15;7320:15; 7328:13;7330:3</p> <p>buying (4) 7326:11,17; 7328:15;7334:21</p> <p style="text-align: center;">C</p> <p>Cal (1) 7365:20</p> <p>calculate (12) 7236:5;7241:12; 7247:5,9,14,15; 7250:21;7252:2; 7254:10;7274:16; 7288:10;7329:16</p> <p>calculated (29) 7233:18;7234:22, 25;7235:4,7,14,15; 7237:15;7241:17; 7243:4,9;7244:9; 7246:12;7248:10,12; 7255:24,25;7256:2, 4;7263:8;7272:11; 7274:16;7277:4; 7279:8;7304:19; 7305:1;7423:10; 7425:4;7429:23</p> <p>calculating (1) 7332:15</p> <p>calculation (28) 7235:11,20; 7236:1,11,19; 7240:11,15;7241:2, 7,9;7242:10; 7243:21;7245:3,4; 7246:25;7247:2; 7250:24;7251:4,6, 14;7252:18;7253:9; 7263:25;7274:5; 7332:17;7344:6; 7417:1,3</p> <p>calculations (25) 7233:11;7236:10; 7239:2,4,5;7241:11; 7242:11,20;7244:13; 7248:9;7252:17,20; 7253:5,12;7260:4; 7276:11,12;7298:3; 7299:2;7332:14; 7344:3;7345:4; 7375:23;7391:17; 7430:1</p> <p>California (189) 7221:5;7222:13, 25;7223:4,9,11,16, 20;7224:15; 7232:14;7233:19; 7235:22;7236:11,25; 7238:7,11,13,21; 7240:2,5,9;7244:7,</p>	<p>14,15,17,20;7246:4; 7247:4;7248:20; 7249:4,23;7252:6,7; 7253:6;7254:7,17; 7255:16,20;7256:1; 7257:14;7258:22; 7259:21,25;7263:19, 20;7264:4,5,8,9,11, 12,12,15,22;7265:3, 19,25;7266:9; 7272:13;7273:1,19, 20,22;7275:21; 7276:23;7277:16; 7281:3,4,5,6; 7282:15;7285:16; 7286:11,14,17; 7287:4,12;7295:12, 13;7299:2;7301:6, 20,24;7303:18,20, 22,24;7304:7; 7305:25;7306:4,15; 7310:17,20,22,25; 7311:2;7312:17; 7318:16;7319:5; 7324:4;7334:19; 7342:21,24,25; 7343:3;7345:11,15; 7346:19;7347:2,17; 7349:4;7351:9; 7354:22;7355:4,6,9, 12,16,18,21; 7358:21;7361:23,24; 7362:4,9,21;7363:3; 7365:4,10,24; 7374:18;7376:23,25; 7377:4,15,22; 7378:5;7383:9; 7384:9,11;7386:18, 19;7390:17;7391:1, 6,8,11,20,22; 7394:25;7395:19; 7397:8,10,15,17,23, 25;7398:5,13; 7400:11;7401:20; 7402:11;7405:8,22; 7408:24;7409:7; 7410:21;7413:4,18, 21,22;7415:6; 7416:4,8,17;7420:7; 7421:5;7422:6; 7426:4;7428:22,25; 7429:6,25;7430:4; 7431:16;7432:18,23; 7438:8,13</p> <p>California's (2) 7264:20;7346:7</p> <p>call (11) 7231:15;7286:1; 7287:18;7295:20; 7296:12;7316:8; 7326:12;7359:18; 7381:5;7436:11; 7443:22</p>	<p>called (8) 7287:5;7301:22; 7303:10,13;7358:1; 7392:24;7417:7; 7434:7</p> <p>calling (2) 7226:9;7237:3</p> <p>Calvin (2) 7342:4;7348:9</p> <p>came (5) 7316:1;7348:10; 7409:24;7434:12; 7439:3</p> <p>can (99) 7225:11;7226:17; 7228:14,19;7229:6, 24;7232:24; 7233:23;7234:10; 7236:5,11;7237:12; 7240:24;7241:22; 7242:15;7244:25; 7246:24;7248:22; 7250:2,10;7255:8; 7259:13;7260:9; 7263:1,18;7265:17; 7268:10,18;7269:1, 3,12,18,19,23; 7270:1,15,17; 7273:4;7274:3; 7276:20;7277:8; 7280:25;7284:10,13; 7290:1;7295:3; 7299:3,21,23; 7302:19;7308:10; 7314:16;7321:2,15, 17,17;7325:1,23; 7328:18;7329:20; 7330:4;7331:22; 7332:19;7347:10; 7349:14;7351:23; 7353:16;7359:2; 7361:23;7367:8; 7374:9,25;7383:2; 7386:2,25;7389:1,1, 4,7;7395:4;7403:19; 7413:1;7419:18; 7421:18;7428:21; 7429:1;7430:25; 7431:5,15;7432:12, 12,20,20;7435:1,21, 21;7439:3;7440:22; 7442:18</p> <p>cans (1) 7364:20</p> <p>capability (1) 7365:6</p> <p>capacity (17) 7287:3,5,5,6,7; 7337:25;7339:22; 7363:15,22;7364:25; 7365:2;7366:16; 7367:20;7429:19; 7438:1,2;7443:2</p>
--	---	---	---	---

<p>capital (2) 7305:20;7398:25</p> <p>Capitol (1) 7394:20</p> <p>capture (1) 7275:24</p> <p>capturing (1) 7388:25</p> <p>care (1) 7389:11</p> <p>career (3) 7363:12;7442:12, 13</p> <p>careers (1) 7368:5</p> <p>careful (1) 7345:10</p> <p>cares (1) 7269:17</p> <p>CARMAN (2) 7221:18,18</p> <p>C-A-R-M-A-N (1) 7221:19</p> <p>Carolina (2) 7352:5,16</p> <p>Carolinas (1) 7352:22</p> <p>carried (1) 7257:24</p> <p>carrier (8) 7251:16,19,20,22; 7256:2,10;7257:16, 19</p> <p>carries (1) 7378:16</p> <p>carry (3) 7234:17;7259:25; 7260:1</p> <p>case (33) 7230:10,19; 7234:23;7235:3,13; 7236:18;7238:11; 7240:7;7241:13,15, 18;7244:25; 7249:19;7252:11,16; 7253:8;7270:18; 7289:23;7315:2; 7326:23;7331:11; 7336:1;7349:20; 7359:10;7382:9; 7394:23;7395:17; 7405:16,19;7433:13; 7443:6,9,21</p> <p>case-in-chief (2) 7226:22;7228:12</p> <p>cases (3) 7247:24;7366:9; 7439:24</p> <p>cash (1) 7342:1</p> <p>casual (3) 7328:3;7443:23, 25</p>	<p>cat (1) 7247:17</p> <p>catch (2) 7229:13;7382:6</p> <p>categories (2) 7277:24;7437:24</p> <p>category (1) 7340:11</p> <p>cattle (1) 7334:21</p> <p>cause (10) 7227:18;7316:14; 7343:7;7345:7; 7347:11;7354:24; 7361:25;7362:9; 7377:6,16</p> <p>caused (1) 7375:10</p> <p>caveat (1) 7324:12</p> <p>CDFA (35) 7233:8;7235:22, 24;7244:24; 7246:13;7253:12,15, 24;7273:22; 7277:11;7280:14,24; 7282:12,21;7304:25; 7314:3,8;7315:24; 7320:19;7332:19,21; 7396:25;7408:25; 7420:18,19;7421:7, 20;7425:4,10,16,22, 25;7426:2,7;7439:18</p> <p>CDFA's (1) 7426:13</p> <p>CDI (2) 7222:13;7434:17</p> <p>cell (1) 7321:6</p> <p>cent (22) 7235:25;7236:15, 16,17;7240:12; 7246:13;7259:1,3; 7281:21;7291:18; 7292:5,9,18; 7294:14;7340:4; 7343:22;7346:25; 7347:2,7;7373:10, 13,14</p> <p>center (1) 7326:1</p> <p>centers (2) 7303:23;7305:21</p> <p>Central (3) 7235:16;7303:24; 7360:23</p> <p>cents (56) 7246:11;7249:21, 24,25;7255:12,15; 7266:7,8;7277:20; 7278:3,4,9,11,23; 7279:4,6;7280:6,18; 7281:22,23;7282:2,</p>	<p>3,7,15;7283:1,5; 7291:15,15,16,21, 25;7292:3,6,7,20; 7293:7,9,10,23; 7294:7;7295:14; 7296:23;7326:21; 7343:21,21,23,24; 7346:24,25;7347:5, 6,6;7359:8;7380:24; 7441:5;7442:9</p> <p>CEO (1) 7301:15</p> <p>certain (7) 7233:17;7320:13; 7386:3;7394:25; 7395:18;7405:22; 7425:17</p> <p>Certainly (20) 7233:1;7236:7; 7237:14;7242:17; 7245:16;7253:21; 7263:4,20;7268:9, 21;7290:25; 7312:21;7342:15; 7390:15;7415:11; 7435:5,8,24; 7439:16;7441:13</p> <p>certified (1) 7322:3</p> <p>challenge (4) 7341:25;7342:14; 7345:3;7366:22</p> <p>challenges (3) 7365:21;7366:20; 7369:14</p> <p>challenging (1) 7365:19</p> <p>change (29) 7256:21;7257:21; 7259:11;7285:15; 7291:20;7292:8; 7293:8,9,21,24; 7294:19;7296:21,25; 7311:4;7318:23; 7330:13,16;7343:20; 7346:6;7384:23; 7386:4,10;7391:22; 7413:22,24;7416:14; 7424:15;7429:7,14</p> <p>changed (5) 7264:1;7269:11; 7386:5;7407:16; 7424:22</p> <p>changes (24) 7239:19;7258:4,5, 9;7274:20;7291:5; 7292:19;7315:6; 7327:1;7331:11; 7332:1,2;7365:8,11, 17;7375:4;7376:1; 7386:23;7393:10; 7404:22;7408:11; 7413:4;7428:25;</p>	<p>7429:12</p> <p>character (2) 7436:1;7440:8</p> <p>characterization (2) 7285:20;7421:2</p> <p>characterize (1) 7254:13</p> <p>charge (6) 7330:23,23; 7331:1,1,3,10</p> <p>charged (1) 7330:24</p> <p>chart (2) 7283:25;7343:19</p> <p>charts (2) 7276:14;7346:23</p> <p>chase (1) 7289:15</p> <p>check (3) 7283:12;7323:14; 7325:11</p> <p>checkbooks (1) 7323:4</p> <p>checked (1) 7315:3</p> <p>checks (2) 7331:4;7380:5</p> <p>cheddar (21) 7235:3;7236:21; 7237:25;7238:16; 7239:10,11,14; 7240:7,13,17; 7241:10,13,15; 7293:3,6,11,13,15, 18;7294:3,11</p> <p>cheese (19) 7235:8,8;7236:22; 7238:2;7239:10; 7250:15;7293:1,15; 7295:1,17;7302:2,6; 7303:25;7321:19; 7334:21;7364:16,17, 20,25</p> <p>children (1) 7302:11</p> <p>Chip (9) 7223:2;7226:7; 7259:12;7267:16; 7299:20;7312:16; 7381:13;7382:3; 7412:17</p> <p>Chip's (1) 7337:16</p> <p>choose (1) 7327:19</p> <p>chooses (2) 7231:4;7362:15</p> <p>chose (3) 7254:22;7322:22; 7423:7</p> <p>Cincinnati (2) 7363:13,17</p> <p>circumstance (1)</p>	<p>7342:20</p> <p>circumstances (1) 7343:4</p> <p>cite (1) 7409:1</p> <p>cited (1) 7439:24</p> <p>cites (1) 7343:12</p> <p>cities (1) 7393:8</p> <p>city (2) 7396:6,8</p> <p>claim (2) 7309:25;7310:12</p> <p>claiming (1) 7281:10</p> <p>clarification (4) 7245:19;7285:19; 7318:11;7348:1</p> <p>clarified (1) 7325:7</p> <p>clarify (8) 7237:14;7242:25; 7243:16;7263:20; 7313:20;7325:1; 7326:17;7384:21</p> <p>clarity (1) 7402:9</p> <p>class (156) 7234:20;7235:1, 21;7236:22;7240:5; 7241:3,4,20; 7242:10,11,12,12,14, 19;7243:25;7245:17, 24;7246:5,10,12,18; 7247:15;7248:4; 7249:4,8;7250:10, 12,24;7251:1,5,7,8, 10,10,16,23,24; 7253:9;7254:1,4,4, 12,14,17,23; 7255:19;7257:15; 7258:20;7260:21; 7261:4;7263:5,10, 11,13,21;7264:4,6, 14,14,16,16,17,20, 21,22,24,25;7265:4, 4,23;7266:6,7,8,9; 7269:17;7274:4; 7276:18,24;7277:18, 24;7278:21,22; 7279:8,10,11,12; 7280:4,17;7281:2,3, 5;7282:11,14,20; 7283:3,15,23; 7288:5;7289:15,21; 7290:13;7291:2,7,9, 20,24;7292:10,16, 20,22,24;7293:2; 7297:9;7298:14; 7301:21;7304:3,12, 13;7305:4,9,10;</p>
--	---	---	---	--

<p>7306:11;7307:7; 7313:7,9,11,22; 7314:2,22;7315:3,5, 15,17;7316:9,14,24; 7323:8;7325:10; 7326:25;7327:5; 7332:14;7342:12; 7374:1;7386:6; 7398:15,16;7399:20; 7400:4;7416:19,25; 7417:19;7420:10,18; 7423:13,24;7424:6</p> <p>classes (4) 7273:25;7274:13; 7276:9;7396:4</p> <p>classified (1) 7341:24</p> <p>Claus (1) 7334:21</p> <p>Clause (5) 7395:1,2,7,20; 7405:23</p> <p>clauses (1) 7431:4</p> <p>clean (2) 7432:18,20</p> <p>cleaner (1) 7254:22</p> <p>cleanup (1) 7228:20</p> <p>clear (14) 7271:12;7277:21; 7294:25;7311:2; 7314:24;7316:6; 7344:14;7376:3; 7392:6;7416:3; 7428:20;7430:13; 7435:6,15</p> <p>clearly (8) 7236:11;7309:25; 7310:11;7434:25; 7435:5;7437:11; 7438:2,4</p> <p>Cleveland (2) 7392:13;7396:20</p> <p>Cleveland's (1) 7396:5</p> <p>clever (1) 7262:11</p> <p>client (1) 7269:1</p> <p>clients (4) 7268:15;7275:20; 7382:17;7421:19</p> <p>client's (1) 7424:19</p> <p>Clifford (2) 7221:18;7346:15</p> <p>CLIFTON (340) 7221:2,6;7224:17, 22;7226:8;7227:12, 22;7228:2;7229:9, 20;7230:11,14;</p>	<p>7231:25;7237:2,6; 7239:22;7245:7; 7252:8,13,24; 7256:19;7258:2,7; 7259:4;7260:13,18, 24;7261:2,11,24; 7262:1,3,7,10,13,20; 7265:12,14;7266:18; 7267:1,8,15;7269:4; 7270:6,21,24; 7271:1,9,15,19,25; 7273:9,13;7275:2,6, 8,12;7276:6,17,19, 25;7277:8;7278:16; 7279:1,20,24; 7280:1,10,15,19; 7281:12,14,18; 7282:4,7,9;7283:9, 18;7285:25; 7286:20;7287:18; 7288:13;7289:3,8; 7290:1,7,14,18,21; 7295:3,6;7296:11, 16,24;7297:3,16,18, 22;7298:9,16,24; 7299:4,8,13,25; 7300:5,9,11,13; 7301:1,3;7302:12, 19,22;7303:1,4; 7306:20;7308:2,4; 7309:17,20,22; 7310:2,8;7311:20; 7312:8;7317:22; 7318:4,19,21; 7323:20;7325:16; 7326:2,5,14,19; 7327:8,18;7328:5, 10,13,17,20;7329:4, 10;7333:2,7,16,18; 7334:2,8,25; 7335:10,13,15,21; 7336:2,5,12,16,19, 21;7337:3,9,15; 7338:18,21;7341:5, 7,9;7344:14,18; 7348:1,6,12,20,25; 7351:3;7356:4,10, 25;7357:14,16,24; 7358:3,5,8,10,19; 7359:3,11,14,17,20, 25;7360:9,13; 7365:12;7367:14; 7370:9,13,15,17; 7371:2,4,9,12; 7372:1,15,17,19,22; 7373:1,4,9,12,16,19, 22;7374:9,13; 7375:2,7;7376:3,7,9, 12,15;7377:17,21; 7381:11,16,25; 7382:11,16,19; 7383:1,21;7385:11; 7387:6,16,23;</p>	<p>7388:23;7389:6,12, 17,20;7390:1,5; 7391:24;7392:5; 7393:24;7394:5,9, 11,15;7395:3,10; 7397:2,4,19,21; 7398:2,21;7399:3,6, 17,22,25;7400:18, 20,23;7401:16; 7402:18,21,24; 7403:2,4,6,9,13; 7404:3,6,13,22,25; 7405:24;7406:3,6,9, 11,24;7407:7,13,16, 22;7408:14,18; 7409:8,14,16; 7411:16;7412:4,14; 7419:5,7,12,21; 7423:23;7428:11; 7430:18;7431:8,13, 19;7432:8,15; 7433:2,8,15,17,22, 25;7434:3,5,6,9; 7435:21;7436:2,11, 20;7437:1;7438:8, 15,23;7439:5; 7440:2;7441:1; 7442:10,24;7443:6</p> <p>Clifton's (1) 7440:10</p> <p>clip (1) 7267:6</p> <p>clock (1) 7287:23</p> <p>Close (4) 7339:7;7360:2; 7399:16,17</p> <p>closely (1) 7294:7</p> <p>closer (1) 7360:4</p> <p>closing (1) 7358:15</p> <p>CME (2) 7240:8,18</p> <p>Coast (1) 7365:8</p> <p>Cobblestone (7) 7339:23,24; 7352:9,10,23,25; 7353:3</p> <p>code (13) 7409:4,5;7413:21, 22;7414:18;7416:5, 17;7428:23,25; 7429:25;7430:4; 7431:16;7432:18</p> <p>cold (1) 7441:22</p> <p>collaboration (1) 7361:6</p> <p>colleagues (2) 7322:11;7418:19</p>	<p>collective (1) 7231:13</p> <p>collectively (1) 7369:23</p> <p>College (1) 7396:2</p> <p>color (1) 7283:18</p> <p>Colorado (1) 7271:3</p> <p>column (136) 7233:21,22,22,24; 7234:6,7,7,9;7235:3, 6,9,11,12,13;7236:4, 18;7237:4,15,16,17, 21,22,23,25;7238:1, 1,4,5,6,8,9,9,9,10, 17,18,19,19;7243:8, 20,21;7244:13; 7245:2,2,14,16; 7246:6;7247:2,6,14, 16,17,24;7248:1,3,5, 12;7249:9,9; 7250:23,24;7251:2, 7,8,9,12,13,17,19,20, 23,24;7252:22; 7253:2;7256:7,8,15; 7257:6,8,9,10,11,12, 15,16,17,17,18,18, 19,20;7258:24,25; 7259:2,19;7263:10, 11,12,13,15,18; 7264:4,5,6,13,16,16, 17,25;7265:2,5,6,6; 7278:6,7,16,24; 7279:22,23,24; 7280:10,11,13; 7281:19;7282:1,17; 7283:2,2,5,15; 7284:4,5,6,7,8</p> <p>columns (54) 7233:24,25; 7234:1,15,18; 7235:2,19,21; 7236:6,12;7237:1, 11;7241:9,23; 7242:16;7244:12,25; 7246:3,7,15,24; 7247:2,21;7248:8, 19;7249:14;7250:16, 20;7251:5,11,15,24; 7252:4,17,18,22; 7253:12,14,24; 7254:5;7256:12,20, 22;7257:7;7258:24; 7263:4;7264:13,23; 7265:8,9,21,24; 7276:14;7279:20</p> <p>combination (4) 7236:22;7238:3; 7264:15;7294:11</p> <p>combined (5) 7292:8;7301:24;</p>	<p>7339:6;7365:8; 7368:6</p> <p>comfort (2) 7244:25;7339:3</p> <p>comfortable (2) 7289:19;7430:14</p> <p>coming (9) 7226:12;7320:5; 7356:3,7;7380:4; 7383:25;7389:6; 7431:20;7433:4</p> <p>comment (2) 7312:4;7328:3</p> <p>comments (2) 7334:15;7361:7</p> <p>Commerce (5) 7395:1,1,7,20; 7405:23</p> <p>commercial (6) 7304:20;7308:18, 25;7331:24;7332:3; 7440:8</p> <p>Commissioner (1) 7334:11</p> <p>commit (1) 7268:21</p> <p>commitments (1) 7287:13</p> <p>committed (1) 7342:16</p> <p>commodities (3) 7235:20;7320:3; 7341:3</p> <p>commodity (26) 7233:6,10,12,15; 7236:8,25;7238:8, 11,22;7240:2,4; 7241:13;7242:3,21; 7243:3,5,14;7244:5; 7254:10;7263:9,22; 7288:1,2,4,20; 7367:8</p> <p>common (7) 7317:16;7318:1; 7330:9;7342:18; 7346:11;7347:8; 7430:5</p> <p>commonly (2) 7394:23;7395:16</p> <p>Commonwealth (1) 7372:6</p> <p>communication (1) 7340:6</p> <p>Community (1) 7396:2</p> <p>companion (1) 7354:12</p> <p>company (6) 7302:3,4,17; 7306:9;7318:17; 7323:6</p> <p>comparable (2) 7234:21;7254:8</p>
---	---	---	--	--

<p>compare (3) 7244:23;7254:19; 7280:23</p> <p>compared (1) 7441:20</p> <p>comparing (4) 7240:1;7241:19; 7282:11;7316:24</p> <p>comparison (22) 7233:7;7239:13; 7245:16;7246:4; 7247:4,8;7249:2,13, 22;7253:25;7254:5, 6,16,21;7255:11,19; 7256:1;7260:3; 7265:22,24;7280:14; 7281:3</p> <p>comparisons (9) 7238:23;7239:2; 7244:19;7245:14; 7248:22;7253:17,19; 7254:3;7265:18</p> <p>compelled (1) 7361:14</p> <p>compensate (2) 7308:13;7313:3</p> <p>compensated (1) 7327:23</p> <p>compete (2) 7308:22;7400:2</p> <p>competed (1) 7309:10</p> <p>competing (3) 7380:21;7400:3,6</p> <p>competition (1) 7274:14</p> <p>competitive (5) 7272:23;7274:8; 7276:3;7308:20; 7309:14</p> <p>competitors (1) 7308:19</p> <p>complete (2) 7260:12;7299:1</p> <p>completed (2) 7302:13;7371:13</p> <p>completely (5) 7321:3;7369:14; 7409:1;7422:3; 7436:1</p> <p>completing (1) 7273:24</p> <p>complex (1) 7405:19</p> <p>complexity (1) 7253:8</p> <p>complicated (3) 7230:21;7246:19; 7250:12</p> <p>complication (1) 7250:19</p> <p>complications (2) 7254:21;7292:23</p>	<p>component (29) 7243:4,8,22; 7244:1,4,9,12,14; 7250:21;7255:23,24; 7263:8;7288:1,5,7,8, 10;7289:13;7291:7, 10,11,21;7292:16; 7293:8,16,24; 7320:24,25;7321:6</p> <p>components (4) 7243:22;7264:18; 7289:14;7355:2</p> <p>comprised (1) 7235:9</p> <p>compute (1) 7288:1</p> <p>conceivably (1) 7268:2</p> <p>concentrate (2) 7235:14;7246:22</p> <p>concentrates (1) 7368:4</p> <p>concept (1) 7438:6</p> <p>concepts (1) 7339:18</p> <p>concern (4) 7289:12;7362:22; 7374:19;7441:3</p> <p>concerned (4) 7343:9;7346:8; 7374:16;7405:17</p> <p>concerns (9) 7230:15;7233:17; 7267:19;7294:9; 7347:16;7373:21; 7375:16,18;7441:25</p> <p>conclude (1) 7345:24</p> <p>concluded (1) 7271:23</p> <p>concludes (7) 7347:22;7362:7; 7363:2;7377:4; 7378:5;7387:15; 7405:7</p> <p>concluding (1) 7272:6</p> <p>conclusion (2) 7292:18;7362:11</p> <p>conclusions (4) 7377:15,19; 7384:25;7385:2</p> <p>conditions (4) 7341:20;7350:7; 7361:10;7365:15</p> <p>conducted (2) 7233:16;7364:2</p> <p>confidential (1) 7316:7</p> <p>confidentiality (1) 7233:17</p> <p>configuration (1)</p>	<p>7319:23</p> <p>confirm (2) 7267:4;7291:2</p> <p>confirms (3) 7345:13;7375:17, 22</p> <p>conflict (3) 7275:21,22; 7311:12</p> <p>confront (1) 7366:19</p> <p>confused (2) 7260:8;7402:18</p> <p>confusion (1) 7442:4</p> <p>Congress (2) 7379:19;7386:14</p> <p>Congressional (1) 7394:21</p> <p>connect (1) 7414:15</p> <p>connection (1) 7229:16</p> <p>consanguinity (1) 7421:22</p> <p>consensus (1) 7310:19</p> <p>consequences (2) 7365:2;7411:1</p> <p>Conservation (1) 7334:11</p> <p>consider (9) 7230:24;7231:6; 7267:7;7321:20; 7362:3;7376:24; 7393:7,21;7442:8</p> <p>considerable (3) 7307:18;7317:4; 7406:20</p> <p>consideration (5) 7328:3;7335:3; 7345:10,14;7413:19</p> <p>considered (5) 7246:20;7289:10; 7345:6;7366:3; 7393:9</p> <p>consisted (1) 7338:8</p> <p>consistency (3) 7241:23;7242:5; 7245:21</p> <p>consistent (2) 7247:18;7295:14</p> <p>consistently (1) 7239:9</p> <p>consists (1) 7368:7</p> <p>consolidated (5) 7264:19;7363:19; 7364:25;7394:18; 7395:23</p> <p>consolidation (1) 7364:22</p>	<p>constant (1) 7341:23</p> <p>constantly (1) 7366:15</p> <p>constituent (1) 7354:8</p> <p>Constitution (3) 7395:2,20; 7405:23</p> <p>constraints (1) 7231:10</p> <p>consult (2) 7419:17;7430:7</p> <p>Consultant (1) 7222:23</p> <p>consultants (4) 7368:15,23; 7369:1,4</p> <p>consumers (5) 7305:25;7341:16; 7366:11;7368:13; 7374:6</p> <p>consumption (2) 7342:7;7365:24</p> <p>contact (1) 7274:19</p> <p>contacted (2) 7275:14,15</p> <p>contained (1) 7428:2</p> <p>contains (1) 7290:24</p> <p>contemplation (1) 7426:17</p> <p>content (2) 7232:25;7273:14</p> <p>context (5) 7245:2;7426:1; 7441:10,12,23</p> <p>continuation (2) 7391:19;7424:19</p> <p>continue (11) 7226:4;7231:19; 7234:8;7269:9; 7285:23;7310:2; 7334:3;7374:7; 7377:21;7387:18; 7398:18</p> <p>CONTINUED (4) 7232:15;7307:4,5; 7434:3</p> <p>continuing (2) 7221:12;7402:10</p> <p>continuously (1) 7365:19</p> <p>contract (1) 7287:11</p> <p>contracts (3) 7287:14;7357:10; 7364:5</p> <p>contractual (1) 7287:13</p> <p>contradict (1)</p>	<p>7441:19</p> <p>contribute (2) 7315:24;7339:3</p> <p>contributing (1) 7341:3</p> <p>contribution (2) 7316:11,18</p> <p>conundrum (1) 7428:24</p> <p>convenient (1) 7353:5</p> <p>conversations (1) 7267:18</p> <p>conversions (1) 7274:13</p> <p>convert (2) 7306:17,23</p> <p>converted (3) 7307:1;7308:10; 7327:25</p> <p>cool (1) 7339:15</p> <p>cooling (1) 7295:23</p> <p>co-op (4) 7286:14,16; 7346:17;7353:3</p> <p>cooperation (2) 7369:4;7426:14</p> <p>Cooperative (19) 7311:3;7352:9; 7361:9,17;7363:14, 15,17,20,24; 7364:23;7365:5; 7366:14;7369:5; 7375:10;7376:1; 7402:5;7404:15,17; 7411:6</p> <p>Cooperatives (20) 7222:23;7275:20; 7318:9;7320:15; 7324:7;7340:19; 7351:9;7363:11,18, 23;7365:18;7383:9; 7397:7;7398:11,11, 18,25;7399:20; 7409:11,24</p> <p>Cooperatives' (13) 7301:23;7375:23, 24;7377:8;7391:11, 18;7401:8;7402:3,8, 12,15,19;7410:11</p> <p>Cooperative's (2) 7391:2;7403:21</p> <p>co-ops (4) 7347:14,17; 7350:4;7353:6</p> <p>coordinate (1) 7363:16</p> <p>coordinating (1) 7225:2</p> <p>copied (1) 7267:17</p>
---	---	--	--	--

<p>copies (9) 7225:21,24; 7231:23;7260:9; 7261:8;7283:14; 7289:23;7297:4; 7359:21</p> <p>copy (12) 7231:22;7232:1; 7256:18;7260:5; 7261:9,11;7273:14; 7290:19;7300:1,13; 7337:3;7408:4</p> <p>core (1) 7365:9</p> <p>corn (1) 7339:7</p> <p>corner (4) 7225:22;7262:14, 15;7271:21</p> <p>corrected (4) 7264:2;7373:7; 7403:16,19</p> <p>correction (7) 7256:7,14,18; 7292:25;7298:1,2; 7302:19</p> <p>corrections (9) 7225:1;7230:18; 7257:24;7438:23; 7439:2,6,7,8,15</p> <p>correctly (1) 7418:16</p> <p>corrects (1) 7293:14</p> <p>Cost (14) 7223:17;7269:2; 7301:16;7307:17,19; 7309:10;7317:3,5; 7330:22;7331:3; 7332:14,16;7354:4; 7372:12</p> <p>costs (4) 7308:25;7331:6; 7332:18;7372:14</p> <p>cottage (2) 7303:25;7321:19</p> <p>Council (7) 7224:4,7;7337:7; 7346:3;7360:25; 7367:2,4</p> <p>Counsel (7) 7222:4,9,19; 7226:14;7419:17; 7430:8,11</p> <p>count (1) 7321:7</p> <p>counted (1) 7393:11</p> <p>counties (1) 7388:14</p> <p>countries (1) 7392:23</p> <p>country (17)</p>	<p>7334:23;7341:21; 7342:18;7345:16; 7362:4,8;7363:5; 7365:1;7376:23; 7377:1,5,7;7378:7; 7384:11;7386:22; 7406:18;7437:3</p> <p>County (5) 7303:21;7319:5,6; 7322:5;7369:5</p> <p>couple (13) 7226:5,19; 7294:22;7318:11; 7319:3;7323:25; 7346:1;7351:11; 7354:13;7378:12; 7412:24;7424:24; 7433:21</p> <p>course (7) 7278:12;7295:18; 7314:3;7346:21; 7354:16;7364:24; 7367:8</p> <p>court (25) 7225:18;7227:7; 7270:16;7271:8; 7303:7;7312:20; 7382:12;7394:24,25; 7395:17,18;7405:17, 21,25;7406:6; 7408:4;7411:17,18; 7432:11;7434:9; 7437:19,21;7438:18; 7440:1,13</p> <p>courtesy (1) 7229:18</p> <p>courts (1) 7440:6</p> <p>covered (1) 7298:15</p> <p>covering (1) 7303:23</p> <p>covers (4) 7240:23,24; 7241:1;7406:24</p> <p>Covington (10) 7342:4,7,13; 7345:1;7352:17; 7365:21;7366:4,7; 7374:25;7375:19</p> <p>Covington's (6) 7343:12;7344:5, 21;7348:9;7366:12; 7375:14</p> <p>cow (5) 7339:3,8,15; 7367:18;7378:24</p> <p>cows (8) 7319:10,15; 7338:8,10;7343:25; 7353:20;7367:18; 7388:18</p> <p>CPHA (4)</p>	<p>7390:17,22; 7402:17;7404:12</p> <p>craft (2) 7311:15;7325:6</p> <p>crafted (1) 7410:3</p> <p>crafting (1) 7418:14</p> <p>cream (6) 7302:6;7303:25; 7304:1,1;7321:19,23</p> <p>Creamery (15) 7223:14,18; 7228:13;7303:11,16, 17,22;7304:22; 7305:3,11,13; 7310:23;7322:1; 7330:10,18</p> <p>created (12) 7232:21;7305:18; 7308:13,14;7313:3, 4,6,7,8,12;7379:18; 7411:9</p> <p>creating (2) 7311:5;7347:20</p> <p>credit (11) 7294:1;7305:9; 7317:25;7318:25; 7325:22,24;7326:12, 13;7331:24;7332:1; 7392:23</p> <p>crediting (2) 7417:2;7424:7</p> <p>credits (3) 7372:7,24;7425:3</p> <p>criteria (3) 7311:7;7381:1,2</p> <p>critical (2) 7374:4;7437:23</p> <p>crop (4) 7339:9,10; 7353:20;7385:8</p> <p>cropping (1) 7338:15</p> <p>crops (4) 7339:5,14; 7353:21;7367:8</p> <p>cross (3) 7226:16;7269:6; 7275:9</p> <p>cross-exam (2) 7268:12,17</p> <p>cross-examination (35) 7226:5;7271:24; 7272:4;7286:4; 7287:20;7297:23; 7312:3,7,14;7318:6; 7323:22;7347:25; 7348:22,24;7349:1; 7351:5;7356:10,13; 7381:10,24;7382:1, 22,24;7383:3,5,23; 7385:12;7412:15;</p>	<p>7419:23;7428:13; 7430:19,21;7441:7, 14;7442:17</p> <p>cross-examine (1) 7269:12</p> <p>crunch (1) 7228:15</p> <p>crux (1) 7366:22</p> <p>Crystal (7) 7223:14,18; 7228:13;7303:10,16, 22;7310:23</p> <p>culture (1) 7302:6</p> <p>cultured (1) 7303:25</p> <p>cumulative (1) 7371:17</p> <p>curious (3) 7316:5;7317:18; 7349:6</p> <p>current (20) 7240:9;7244:2,8; 7248:18;7253:15; 7280:14,24;7291:14; 7313:22;7326:25; 7338:10;7345:8; 7358:22;7391:5,7,8; 7394:17;7397:10; 7408:24;7411:11</p> <p>currently (9) 7257:20;7324:4,9; 7345:23;7392:12; 7396:18;7410:21; 7413:6;7439:19</p> <p>customer (2) 7308:18;7364:8</p> <p>customers (7) 7310:15;7313:13, 15;7322:1;7331:18; 7364:6;7366:18</p> <p>cut (2) 7308:25;7385:5</p> <p>Cuyahoga (1) 7396:2</p>	<p>9,11,13,16,18,21,23; 7224:7,8,11,16; 7225:19;7228:13,24; 7229:3,4,9,25,25; 7232:13;7233:13; 7235:15,18;7236:9, 21;7238:15;7240:1; 7241:17;7243:10; 7245:17,22;7246:21; 7248:11,12,13; 7249:3,13;7251:1, 12;7253:6,10,22; 7254:24;7255:4; 7258:19;7263:5,12, 15;7265:18,22,25; 7266:6,8;7267:24; 7269:20;7272:9,13, 14,17,20;7273:1,18; 7274:19;7275:22; 7276:1,23;7277:16; 7278:13;7284:19; 7286:11;7290:12; 7292:1;7298:14; 7301:15,16,17,18, 20;7302:1,5,6,8; 7303:10,12,13,17, 23;7304:2,15,19; 7305:16,20,22,24; 7306:1,7,8,10,14,19, 25;7307:4,8,14,16, 19,22,23,24; 7309:15,24;7310:11, 21,23;7312:17; 7317:5;7318:15; 7319:4;7320:3,23; 7324:7;7327:6; 7330:10;7337:6,8; 7338:4,5,8,25; 7339:12,19;7340:2, 7,9,15,16,17,20; 7341:2,12,21,22; 7342:15,18,21; 7343:18;7346:3,3; 7349:5,21;7351:13; 7352:6;7353:17; 7354:8;7358:16; 7360:22,25;7361:1, 3,5,12,18;7363:16, 24;7364:3,10,14,23; 7365:4,6,18;7367:2, 3,6,9,10,10,22,23; 7368:1,5,6,8,8,11,14, 15,16,19,22,23,24; 7369:4,7,24;7370:6, 24;7371:8,23; 7374:5;7379:2,5; 7383:12;7386:6,7; 7388:2,5,7,11,14; 7391:12;7392:11; 7393:1,4,5;7394:23; 7395:17;7397:13,16; 7405:16;7406:25; 7407:5,10;7412:17;</p>
D				
			<p>d1 (1) 7440:16</p> <p>d2 (2) 7440:16;7442:11</p> <p>d5 (1) 7440:4</p> <p>DAG (2) 7358:2,3</p> <p>Dairies (4) 7222:13,25; 7367:11;7378:23</p> <p>Dairy (231) 7221:19,23; 7222:2,5,14;7223:4,</p>	

7426:4 dairying (1) 7383:11 Dairymen (2) 7224:10;7272:22 damaging (1) 7361:22 Dan (3) 7229:4;7335:18; 7337:6 dangerous (2) 7314:17,17 Daniel (3) 7224:5;7338:13, 15 D-A-N-I-E-L (1) 7224:5 data (21) 7233:19;7235:6, 14;7236:2,5;7242:9; 7253:24;7255:10; 7258:19;7259:10; 7262:12;7265:8; 7269:11,15,16; 7272:9,11;7289:20; 7346:9;7348:10; 7355:7 dated (2) 7436:9,25 dating (1) 7303:11 daughter (1) 7396:7 Davis (1) 7223:2 dawn (1) 7383:11 Day (15) 7221:4;7229:8; 7314:17,17;7317:15; 7319:16,17,20; 7334:6;7339:2,2; 7356:22;7406:14; 7424:15;7443:22 days (7) 7353:17;7385:14; 7389:2,5;7417:8; 7418:1;7420:15 DBA (1) 7303:10 DC (3) 7221:24;7223:3; 7392:22 de (6) 7223:19,19; 7335:8,9,12,14 deal (3) 7386:17;7429:9, 10 dealing (2) 7231:11;7414:1 Dean (9) 7309:4,5,6,8,10,	11,14;7310:13; 7380:11 debating (1) 7269:19 decades (2) 7306:14;7310:22 December (4) 7233:3;7284:7,11; 7370:6 decide (2) 7269:2;7436:3 decided (1) 7379:22 decides (2) 7410:14;7413:18 deciding (1) 7443:9 decimals (1) 7315:13 decision (4) 7362:5;7377:2; 7395:22;7427:11 decisions (5) 7287:10;7393:15; 7394:20;7395:24; 7435:25 decline (6) 7344:20,22; 7355:15,21;7375:21; 7376:19 declined (1) 7342:6 declining (1) 7355:15 decreased (1) 7350:5 decreasing (1) 7355:13 deducting (2) 7400:10;7401:19 deduction (1) 7391:17 deep (1) 7340:25 deeply (1) 7374:16 default (5) 7233:18;7234:22; 7236:14;7246:2; 7292:3 defending (1) 7330:22 defense (2) 7393:22,25 defer (1) 7377:25 deficit (21) 7341:17;7342:3,9; 7349:7,10,16,25; 7350:9,15,17,23; 7351:19;7361:23; 7365:21;7366:2,4,5, 8,13,19;7367:4	define (3) 7259:12,13; 7328:23 defined (13) 7226:24;7235:18; 7399:11,15;7400:10; 7401:20,21;7404:2, 20;7405:5;7415:7; 7416:16;7426:1 defines (2) 7415:8;7440:4 definitely (2) 7346:6;7430:12 definition (9) 7311:5,11; 7391:16;7413:23; 7414:18,22;7415:2, 18,21 definitions (3) 7311:12;7414:15; 7427:22 Degree (3) 7338:4;7363:9; 7392:15 DeGroot (3) 7432:21,23; 7433:1 delayed (1) 7226:17 delaying (1) 7267:22 deleterious (1) 7385:7 delight (1) 7387:18 delighted (1) 7334:25 deliver (1) 7305:5 delivery (5) 7363:16;7364:7; 7372:12;7401:24; 7409:17 Demand (4) 7341:13;7342:10, 13;7349:21 demonstrates (1) 7362:17 Dennis (7) 7222:20;7223:17; 7228:12;7301:2,15; 7313:20;7332:9 Department (58) 7221:9,11; 7230:23;7231:5; 7233:17;7343:5,9; 7345:10,19;7346:5; 7348:11;7357:10,15, 17,18,25;7358:2,3; 7359:7;7362:3,6,11, 15,24;7363:2,5; 7369:6;7376:20,21, 24;7377:3,7,9,13,19,	23,25;7378:2,5,8; 7384:3,5;7385:18; 7390:24;7391:14; 7392:18;7393:17,20; 7394:22;7395:15; 7398:6;7408:25; 7410:14;7434:10,13; 7435:25;7436:7; 7443:18 Department's (17) 7343:13;7344:2, 22;7345:12;7361:16, 18;7362:13,22; 7369:18;7374:16,23; 7375:17,20,22,23; 7377:2,11 dependent (1) 7338:25 depending (2) 7258:21;7319:19 depooling (2) 7437:8,10 Deputy (1) 7221:19 describe (4) 7321:15;7400:4; 7416:7;7420:15 described (7) 7236:20;7248:2; 7345:1;7366:7; 7380:18;7402:5; 7420:25 describing (2) 7378:14,14 description (1) 7225:4 design (1) 7386:16 designation (2) 7233:23;7257:6 designed (1) 7441:8 desire (1) 7284:16 Despite (1) 7341:20 detail (3) 7222:2;7314:20; 7339:17 detailed (1) 7400:1 determination (1) 7437:18 determine (2) 7290:2;7407:8 determined (3) 7327:21;7399:21; 7425:22 determining (10) 7266:19;7267:2; 7298:17;7311:21; 7348:14;7381:17; 7400:5;7412:6;	7416:24,24 detriment (2) 7343:7,10 develop (1) 7265:9 developed (4) 7313:21;7353:15; 7364:7;7368:18 developing (2) 7346:7;7361:7 Development (14) 7224:7;7337:7; 7346:3;7360:25; 7367:2,4,24;7369:2, 22;7379:11,14,18; 7380:9;7393:1 deviates (1) 7391:12 devise (2) 7362:16;7377:13 devised (1) 7343:6 DFA (8) 7222:14;7302:18; 7363:24;7364:9,12; 7365:4;7380:11; 7434:17 DHIA (4) 7370:3;7371:6,11, 11 DI (18) 7391:15;7397:24; 7398:6,7;7399:19; 7400:8,16;7401:9, 15,18;7404:15,17, 21;7405:6;7411:5; 7427:18,22;7428:4 Dick (1) 7334:20 differ (2) 7400:3;7404:16 difference (43) 7236:8;7239:23; 7242:1;7244:13,16; 7245:7,9;7246:2,10, 12;7253:3,22; 7255:21;7256:5,6; 7258:22;7259:3; 7264:11;7273:18,24; 7276:15,22;7277:10, 11,15,17,18; 7278:23;7281:11,19; 7282:20,23;7283:4; 7284:14;7291:16; 7292:14;7293:15; 7327:4;7398:14; 7408:18;7420:10; 7422:24;7441:20 differences (5) 7245:21,24; 7274:3;7404:14; 7410:11 different (40)
--	---	---	---	--

7231:13;7239:17; 7242:7;7245:24; 7246:19;7249:6,7; 7258:20;7262:1; 7274:12,15;7291:1; 7294:23;7304:10; 7320:1;7322:20; 7324:2;7344:20,23; 7353:5;7357:7; 7374:24;7381:2; 7393:14;7412:19; 7414:10;7416:15; 7421:21,24;7434:22; 7436:1;7437:3; 7441:10,10,22; 7442:1;7443:4,15, 16,16	Director (3) 7223:17;7301:16; 7340:19 Directors (4) 7339:22;7340:14, 16,20 directs (1) 7402:4 DI's (5) 7391:12,18; 7397:13;7410:12; 7427:25 disagree (2) 7281:7;7437:12 disallow (1) 7387:1 disappeared (1) 7415:12 disconnect (1) 7289:9 discount (13) 7236:12,15,16,17; 7240:5,10,12,13,15, 18,18;7273:20; 7299:2 discounts (1) 7239:18 discuss (2) 7290:3;7391:13 discussed (1) 7249:2 discussing (1) 7267:22 discussion (3) 7284:18;7313:2; 7322:8 discussions (1) 7226:13 dismissed (1) 7296:18 disparity (1) 7237:4 displaced (1) 7372:5 dispute (1) 7285:20 disqualify (1) 7317:13 disrupt (1) 7308:18 dissected (1) 7291:4 dissertation (1) 7274:23 distant (1) 7346:11 distracted (1) 7350:12 distress (1) 7342:11 distributed (3) 7290:11;7305:2; 7336:22	distributes (1) 7303:22 distributing (1) 7359:21 distribution (3) 7303:23;7305:21; 7306:5 distributor (1) 7268:15 distributors (1) 7413:1 District (3) 7227:7;7340:21; 7437:21 districts (2) 7340:16;7368:9 diversify (1) 7379:24 divide (1) 7247:11 Division (5) 7221:24;7222:7, 10;7358:7,8 docket (1) 7382:9 document (20) 7232:4;7234:1; 7250:4;7253:18; 7261:5,7;7262:4; 7273:8;7290:10; 7312:23;7348:6; 7362:12,16;7377:9; 7384:22;7387:17; 7408:9,9;7412:3; 7442:5 documents (6) 7261:8;7267:17; 7435:14;7438:22; 7439:9,9 dog (2) 7238:19;7441:2 dollar (4) 7346:18;7380:8,8, 22 dollars (13) 7256:9;7257:8; 7305:20;7307:8,15; 7314:8;7344:16; 7372:1,2,16; 7379:23;7380:3,14 dominoed (1) 7352:21 dominoes (1) 7352:4 done (28) 7227:1;7228:9,11, 20;7233:25; 7236:24;7241:11; 7242:2;7248:15; 7264:7;7268:2; 7269:3,22,22; 7270:3,5;7271:6; 7272:25;7275:20;	7294:18;7296:6; 7321:2;7396:19; 7404:13;7418:16,17; 7433:20;7442:12 door (1) 7388:13 double (1) 7224:25 double-time (1) 7303:7 down (38) 7234:8;7238:14; 7246:6,7;7256:8; 7257:5;7262:15; 7264:9;7280:19; 7289:15,22;7294:7; 7295:19;7297:10,11, 12;7299:14;7303:6; 7316:25;7318:23; 7346:11;7349:23; 7351:20;7352:4; 7354:24;7356:17; 7357:1;7381:14; 7382:13;7385:5; 7389:8;7397:21; 7398:23;7405:15; 7434:1,5;7437:20; 7441:4 downward (1) 7374:21 DPPA (2) 7353:18;7357:5 Dr (13) 7226:24;7233:18; 7236:13;7260:4; 7274:19;7275:14,16; 7284:16;7289:2; 7295:22;7318:25; 7424:15;7426:16 drafting (4) 7403:24;7406:21; 7417:24;7418:12 dramatically (1) 7331:11 drastically (1) 7350:5 drawing (1) 7385:2 drawn (3) 7352:1;7369:20; 7422:25 dress (1) 7443:25 dries (1) 7385:6 drinks (1) 7304:2 drive (8) 7233:15;7235:23; 7237:18;7246:11; 7250:22;7274:14; 7350:9;7361:2 driven (9)	7236:20;7242:20; 7245:24;7251:19,20, 21,22,25;7252:2 driver (1) 7250:14 drives (1) 7349:23 drops (1) 7359:7 dry (64) 7234:24,24; 7235:25;7236:16,17; 7237:21,22,24; 7238:4,5,12,17; 7239:10,10,15; 7241:10,16,17; 7242:19;7246:21,25; 7247:3,16,19; 7248:13;7249:8,13, 20,23;7250:17; 7251:1,8,12,19,20, 25;7252:11,16; 7254:1;7255:12,21, 24;7256:2,5,10; 7257:9,11,17,22; 7278:1,3,8;7279:7,9, 12,15,22;7281:11, 20;7282:23;7283:1; 7291:14,19;7304:1 dual (1) 7366:22 dues-paying (1) 7368:10 dump (1) 7442:5 duplicate (1) 7331:13 during (18) 7228:3;7235:5; 7267:16;7286:24; 7287:4,7;7294:8; 7322:12;7340:21; 7364:19,21,24; 7371:16;7372:19; 7391:13;7392:22; 7393:4;7395:22 duties (2) 7225:2,3 dynamic (2) 7274:20;7369:11 dynamics (2) 7285:4,6
E				
			earlier (10) 7225:24;7229:10; 7239:3;7328:22; 7334:15;7342:4; 7352:20;7420:22; 7433:19;7434:15 early (3) 7333:5;7354:17;	

7432:7 earn (1) 7396:5 earned (4) 7325:24;7326:8, 10,12 easier (8) 7243:2;7256:21; 7291:6;7353:9; 7370:13;7414:13,16; 7438:20 easiest (2) 7259:18;7291:6 easily (1) 7250:8 East (1) 7365:7 easy (3) 7256:19;7335:22; 7407:16 echo (1) 7342:15 econometric (3) 7274:18;7284:17; 7285:18 economic (3) 7285:17;7384:19; 7427:8 Economics (2) 7392:16;7396:3 Economist (3) 7222:1;7223:10; 7392:21 Economists (1) 7427:10 economy (3) 7341:4,6;7379:25 educate (3) 7340:7;7367:21, 25 education (1) 7340:6 educational (1) 7341:11 effect (6) 7241:24;7339:3; 7346:8;7347:12; 7355:17;7385:7 effective (1) 7274:17 effectively (2) 7250:14;7254:9 efficient (1) 7267:17 efficiently (1) 7308:21 effort (6) 7342:20;7343:3; 7361:9;7365:19; 7387:24;7394:17 efforts (1) 7331:13 eight (2)	7303:23;7368:9 either (18) 7318:5;7320:7; 7323:3,20;7325:16; 7326:10;7340:17; 7366:9;7389:11; 7410:12,16;7411:5, 20;7414:3;7422:24; 7423:6;7431:15; 7443:20 elected (1) 7340:20 elephant (1) 7247:18 elevation (1) 7254:16 eligibility (2) 7307:21;7317:7 else (26) 7224:22;7230:14, 22;7240:21; 7258:12;7266:10,13; 7285:25;7286:2; 7287:18;7296:11; 7297:20;7329:4; 7333:2;7358:14; 7382:15;7387:6,7, 10;7415:19; 7418:16;7419:21; 7433:3,8;7440:18; 7443:10 elsewhere (1) 7227:23 embedded (1) 7240:5 embodied (2) 7288:19;7294:6 emphasize (4) 7343:2,17; 7354:10;7378:2 employed (3) 7363:13;7396:2; 7440:21 employee (2) 7338:9;7434:21 employees (4) 7221:11;7286:1; 7338:12;7443:18 employer (1) 7435:18 empower (1) 7368:4 enable (3) 7340:5;7362:20, 24 encourage (1) 7369:11 end (27) 7225:4,20; 7238:15;7239:2; 7250:3;7255:8; 7261:6;7289:17; 7297:13,14;7316:11,	23;7317:3,21; 7325:4;7378:15; 7385:17;7397:1; 7398:23;7399:7,16, 18;7401:25;7402:1; 7404:9,23;7442:5 ended (1) 7256:24 ends (2) 7371:13;7397:6 energy (1) 7369:2 enforce (1) 7357:10 Enforcement (4) 7221:23;7222:7; 7357:13;7393:4 England (1) 7334:20 ENGLISH (62) 7223:1,2;7226:8, 11;7227:12,14; 7228:1,5,7,11; 7259:12,12;7260:15, 20;7267:15,16,16; 7269:14;7290:8,9; 7299:20,20;7312:13, 15,16;7318:3; 7381:25;7382:2,3, 12,18;7396:6; 7412:14,16,17; 7419:5,6,8,13,19; 7429:1;7430:20,22; 7433:17,18,23; 7434:2,7,14;7436:2, 18,23;7437:1,5; 7438:10,16,24,25; 7439:13;7442:10,11; 7443:1 E-N-G-L-I-S-H (1) 7223:2 engrained (1) 7310:17 enhance (1) 7368:2 enjoy (1) 7324:20 enjoyable (1) 7412:22 enjoyed (2) 7310:22;7335:5 enjoyment (1) 7325:1 enough (5) 7277:22;7289:10; 7296:14;7352:3; 7430:14 ensure (4) 7343:6;7345:15, 21;7402:10 ensuring (4) 7377:15,18,19,20 enter (1)	7334:7 entered (5) 7245:3;7408:6; 7426:19,25;7430:4 entire (4) 7232:23;7261:21; 7426:2;7438:6 entirety (2) 7234:11;7304:15 entities (10) 7304:17,18; 7309:3;7330:5,7,15; 7331:7;7369:3; 7421:21;7426:18 entitled (6) 7232:4;7242:14; 7243:25;7300:14; 7330:13,17 entity (12) 7303:12;7308:7; 7317:9;7318:13; 7323:7,7,16; 7328:14;7357:4; 7418:2;7421:12; 7425:11 entry (4) 7323:15;7330:4, 11;7331:2 environment (2) 7341:12;7367:23 environmental (3) 7340:10;7357:2; 7358:6 EPA (3) 7353:25;7357:3,7 EPD (6) 7357:8,10,13,22, 22;7358:5 equal (3) 7242:5;7328:21; 7329:13 equalization (1) 7422:18 equals (2) 7372:9,12 equation (7) 7293:4;7294:4,15; 7316:16;7424:6,8; 7425:1 equilibrium (1) 7284:24 equitable (1) 7361:11 equivalent (6) 7236:14;7246:23; 7247:6,9;7264:15; 7265:7 Erba (5) 7222:24,24; 7318:25;7424:15; 7426:16 E-R-B-A (1) 7222:24	Eric (1) 7222:24 E-R-I-C (1) 7222:24 errors (1) 7439:17 escape (1) 7383:2 especially (4) 7314:17;7355:13; 7407:1;7432:11 essence (1) 7413:10 essential (2) 7362:5;7377:1 essentially (11) 7234:14;7238:14; 7245:4;7246:23; 7253:5;7264:1; 7354:21;7398:14; 7420:9,16;7421:1 establish (6) 7239:18;7264:19; 7281:8;7345:20; 7362:6;7377:3 established (6) 7305:22;7362:25; 7370:1;7374:2; 7416:17;7440:8 establishing (3) 7363:3;7378:6; 7397:7 establishment (8) 7306:3;7342:24; 7345:11,15;7361:24; 7362:3;7365:10; 7376:25 estimate (2) 7384:23;7385:3 estimated (2) 7321:1;7365:22 etcetera (1) 7435:19 evaluate (1) 7285:23 evaluated (1) 7327:19 evaluating (2) 7247:22;7396:18 even (34) 7231:10,13; 7250:5;7259:15; 7269:1;7270:1; 7274:6;7289:10; 7306:12;7308:23; 7311:7;7329:18; 7332:22;7334:5; 7336:12;7345:7; 7347:16;7350:8,14, 14;7371:16;7388:1, 13;7407:3,23; 7409:22;7418:17; 7422:2;7431:1,23;
---	--	---	---	--

<p>7435:19;7439:11; 7440:8;7441:6 evening (3) 7283:22;7287:25; 7444:3 event (8) 7227:23;7233:16; 7390:24;7391:14; 7393:9;7398:6; 7403:23;7410:14 events (2) 7316:9;7393:6 Everett (9) 7224:9;7336:14, 16,19,22;7337:4,21; 7361:6;7382:5 E-V-E-R-E-T-T (2) 7224:10;7336:14 everybody (10) 7227:20;7228:7,8; 7232:22;7233:1; 7255:17;7269:17; 7290:11;7350:25; 7380:11 everyone (10) 7229:22;7231:4; 7261:11;7267:6; 7273:14;7300:14; 7359:25;7405:12; 7406:15;7408:7 evidence (57) 7221:8;7266:21, 23,25;7267:3,10,11, 13;7298:18,20,22; 7299:9,10,12; 7300:23;7311:22,23, 25;7327:18,20; 7334:3;7336:10; 7348:3,15,16,17,19; 7360:7;7362:12,13, 17;7363:3;7375:4; 7377:10,11;7378:6; 7381:19,20,22; 7389:24;7412:7,9, 11;7432:24;7435:6, 7,10,11,14;7437:14, 15;7438:7,19; 7439:23;7440:11; 7441:9;7443:20 evolved (2) 7229:24;7441:11 exact (4) 7305:10;7308:22; 7402:2;7408:24 exactly (8) 7256:21;7258:8; 7296:16;7381:8; 7405:2;7422:6; 7429:25;7442:16 exam (1) 7250:5 EXAMINATION (8) 7232:15;7261:12;</p>	<p>7271:23;7301:7; 7329:7;7337:11; 7360:14;7390:7 examining (1) 7226:8 example (10) 7234:13;7237:13; 7243:6;7330:21; 7425:14,14,20; 7426:3,5;7429:16 examples (2) 7418:1;7427:1 exceed (1) 7370:2 exceeded (2) 7309:25;7310:12 excellent (2) 7328:1;7371:12 except (6) 7277:5;7287:6; 7294:19;7316:8; 7323:14;7356:21 exception (1) 7235:4 excerpt (2) 7375:3;7376:2 excerpts (1) 7348:3 excess (1) 7414:7 exchange (1) 7306:9 exchanging (1) 7331:4 excuse (7) 7236:4;7243:3; 7348:7;7359:11; 7399:8;7404:1; 7409:5 excused (1) 7299:15 exempt (147) 7301:22;7304:11, 13,13,18,21;7305:4, 8,17;7306:11,12,14, 18,24;7307:2,4,6,9, 11,11,13,18,21,22, 25;7308:1,5,8,11,14, 15,16,17,17;7309:5, 7,8;7310:15,17,20; 7311:1,9,11,11; 7313:4,6,14,16,23; 7314:5,5,9;7315:5, 15;7316:8;7317:4,6, 13;7322:12,15,21; 7324:18;7325:18,25; 7326:9,12,24; 7327:13,21,23,25; 7328:6,14,18,22; 7329:1,2,11,22; 7332:16;7390:22; 7391:7,16,19; 7397:11;7398:13,16;</p>	<p>7399:11,14;7400:10; 7401:20,21;7402:10; 7404:1,2,19;7405:4; 7409:2,6;7410:4,20, 24,25;7411:8,11,12; 7413:1,6,6,9,14; 7414:18,19,20,21, 25;7415:1,17,19; 7416:5,6,16,20; 7417:20,21;7418:2, 7;7420:5,9,12,15,17; 7421:4,7;7422:6,11; 7423:3,12,17,19; 7424:4;7425:9; 7426:8;7427:5,14; 7429:22,22 exemption (5) 7304:15;7311:6; 7313:21;7322:25; 7323:2 Exhibit (122) 7231:22;7232:5,5, 6,18;7236:2;7260:7; 7261:6;7266:17,17, 21,22,24;7267:1,5,7, 8,10,11,12;7273:7, 10,11,17;7274:2; 7275:1;7276:15; 7277:19;7279:18; 7280:13,23;7281:1; 7284:8,10,11; 7288:7,11;7290:2, 14,16,23;7294:13; 7295:4;7296:22,22; 7297:1;7298:3,6,13, 19,19,21;7299:1,2,9, 10,11;7300:6,7; 7302:15;7311:19,22, 23,24;7325:4,7; 7336:23;7337:1,14; 7348:14,16,17,18; 7359:22,23;7375:3; 7381:12,15,17,19,19, 21;7389:14,18; 7390:11,21;7396:24; 7399:12;7402:2,7; 7407:21,25;7408:6, 13,15,16,21; 7409:10,23;7410:8; 7411:15,21,22,24; 7412:3,6,8,8,10; 7414:12,13,23; 7424:12;7425:8; 7431:20;7436:16,21; 7438:9 exhibits (6) 7225:1,1,21; 7232:1,2;7443:17 exist (4) 7234:21;7247:10; 7274:9;7324:9 existed (7)</p>	<p>7233:6;7243:15; 7244:5,10;7248:21; 7255:13;7263:9 existing (14) 7233:7,8;7236:22; 7242:4;7253:11,11, 23,24;7263:16; 7266:9;7277:13; 7324:2;7345:23; 7366:24 exists (2) 7275:24;7442:15 expanded (1) 7365:7 expansion (3) 7365:3;7367:7; 7378:21 expect (6) 7221:16;7230:1; 7274:10,11;7276:20; 7415:18 expecting (1) 7433:9 expedited (1) 7359:8 expenditure (1) 7371:24 expense (3) 7330:24;7366:10; 7387:24 experience (11) 7272:14,17; 7314:10;7322:16; 7349:24;7364:15; 7365:18;7366:13; 7393:21;7406:20; 7407:2 experienced (3) 7274:23;7364:22; 7377:24 expert (9) 7311:14;7394:22; 7395:16;7406:22; 7407:9,10,14,17,19 expertise (1) 7377:25 experts (1) 7369:7 explain (4) 7236:5;7237:11; 7284:13;7351:24 explained (4) 7242:21;7245:22; 7327:8;7394:19 explaining (5) 7275:2,13; 7362:21;7393:17; 7394:19 explanation (4) 7275:8;7379:13; 7410:7;7434:14 exported (1) 7341:19</p>	<p>exposed (1) 7388:6 express (6) 7345:17;7362:11; 7377:9,14,19; 7437:18 expressing (1) 7361:8 expression (1) 7229:18 expressly (2) 7438:17;7439:22 extend (1) 7229:18 extending (1) 7292:14 Extension (2) 7369:4,5 extent (5) 7315:24;7361:13; 7425:17;7430:25; 7437:13 extra (5) 7250:15,19; 7292:23;7346:20; 7350:1 extraneous (1) 7415:14 extraordinary (1) 7316:9 extremely (3) 7290:3;7408:2; 7410:10 eye (1) 7250:5 eyed (2) 7289:16,17 eyesight (1) 7250:6</p>
F				
<p>facilities (11) 7303:20,21; 7305:21;7321:15,18, 20,21,22;7322:4; 7338:24;7341:15 facility (2) 7313:12,18 fact (15) 7236:20;7239:11; 7245:22;7274:7,9, 19;7291:2;7293:19; 7325:9;7355:21; 7426:12,24;7432:21; 7433:22;7440:8 factor (33) 7235:25;7240:5, 10;7251:1,2,8,9,12, 13,20,21,21,22; 7252:2,11,16,17; 7255:21;7256:3,4,6; 7281:20;7282:24;</p>				

<p>7288:4;7289:22; 7291:15;7292:6,15; 7293:5,21;7362:5; 7371:24;7377:1</p> <p>factored (1) 7298:3</p> <p>factors (10) 7240:16,16; 7241:1,1,20,22; 7292:19;7294:23; 7309:10;7321:7</p> <p>failed (1) 7253:25</p> <p>fair (4) 7306:5;7347:19; 7350:8,14</p> <p>fairly (2) 7309:11;7342:25</p> <p>fall (1) 7340:21</p> <p>families (1) 7396:20</p> <p>family (5) 7303:14;7305:19; 7325:12;7337:21; 7338:6</p> <p>family-owned (1) 7305:17</p> <p>family's (1) 7325:14</p> <p>Fans (1) 7339:2</p> <p>far (10) 7253:9;7269:23; 7282:17;7331:11; 7345:22;7346:11; 7366:23;7394:5; 7418:1;7440:3</p> <p>farm (50) 7274:18;7304:19, 20,20;7305:6,14, 7306:13;7307:5,22, 23;7308:7,23,24; 7310:16;7313:17; 7314:2,4;7317:19; 7318:1;7319:24; 7322:6;7323:7; 7325:9;7330:2,3,17; 7331:3,8,17,24; 7332:3;7338:6,7,13; 7339:5;7341:22; 7343:25;7344:3,7; 7353:13;7356:20; 7360:23;7367:18,19; 7369:7;7421:7,10, 21;7424:4,7</p> <p>farmed (1) 7306:6</p> <p>farmer (16) 7224:11;7229:9, 25;7268:3;7276:20; 7342:15;7343:18; 7360:22;7361:3;</p>	<p>7364:3;7368:6,16; 7379:25;7386:6,7; 7388:14</p> <p>Farmers (37) 7222:14;7229:4; 7230:1;7267:24; 7268:1;7269:25; 7272:13,17;7273:1; 7274:15;7276:1; 7286:11;7302:5; 7315:22;7340:17; 7342:18,19,21; 7351:13;7361:12; 7363:16,24;7365:6; 7366:16,25;7367:22; 7368:1,8,9,21,24; 7369:24;7371:23; 7388:2,5,7,11</p> <p>Farmer's (1) 7392:19</p> <p>farming (9) 7303:17;7306:9; 7313:12,21;7319:4; 7341:12,21;7367:6; 7368:5</p> <p>Farms (51) 7223:14,18; 7228:13;7303:12,13, 17;7304:5,11,16; 7305:3,4,7,10,11,16, 20;7306:10,14,19, 25;7307:4,8,14,16, 17,18,23;7308:12; 7309:1,12;7317:4, 24;7319:3;7320:21, 23;7322:19;7325:20, 24;7327:6;7330:23, 24;7331:1,13; 7353:9,10;7366:15; 7367:9,10,10; 7383:13;7423:13</p> <p>Farms' (1) 7322:16</p> <p>farm's (1) 7337:22</p> <p>FAS (2) 7392:21,22</p> <p>fashion (2) 7271:14;7354:24</p> <p>fat (35) 7243:21,23,24; 7244:18;7247:5,7,9, 13,14;7248:1; 7251:17,23;7254:1; 7256:1,9;7257:8,15, 18;7264:5,16; 7265:5;7291:10,22; 7292:11,15,17,19, 24;7293:14,16,16, 18,20;7294:1,4</p> <p>father (1) 7338:7</p> <p>favor (2)</p>	<p>7307:20;7317:6</p> <p>favorable (1) 7341:10</p> <p>feature (5) 7391:5;7397:14; 7411:5;7429:8,14</p> <p>features (9) 7388:17;7391:9, 15;7394:20,25; 7395:18;7397:12,25; 7405:22</p> <p>fed (2) 7235:7;7339:5</p> <p>Federal (149) 7222:2;7227:7; 7228:23;7233:7; 7236:10;7237:19; 7242:4;7243:22; 7244:18,20;7245:18; 7246:10;7247:10; 7248:17;7249:3,19; 7253:6,11,13,23,25; 7254:9,17,19,24; 7255:14,18;7258:18; 7260:2;7263:6,13, 16;7264:14,17; 7265:18,22;7266:7; 7272:20;7273:18; 7276:16,23;7277:10, 16;7281:4;7291:14; 7293:17;7311:4,13, 14;7324:2,9; 7327:22;7340:12; 7342:24;7343:3; 7347:18,21;7352:4; 7355:2;7358:22; 7361:9;7364:12; 7365:10;7369:3; 7372:7,24;7376:10, 11;7382:12;7384:9, 11;7386:2,5,8,16,25; 7388:6,10,20; 7390:20,25;7391:20; 7392:11;7393:3,6, 15,22,25;7394:17; 7395:21;7402:11; 7403:25;7405:14; 7406:20,22,24; 7407:5,10,10,12,14, 18,19;7409:7,10,19, 19,20;7413:4,9,21, 23;7414:2,2; 7417:24;7418:15,18; 7420:5;7422:5,12, 13;7423:3,11; 7424:5;7426:7,15; 7429:5,6,8,14,18,20; 7435:6,7,10,11,14; 7437:8,13,19,20; 7438:5,11,12,18; 7439:25;7440:11,20, 23</p> <p>feed (4)</p>	<p>7225:16;7388:25; 7389:3;7396:20</p> <p>feel (3) 7389:7;7430:14; 7441:16</p> <p>fella (1) 7388:12</p> <p>fellow (1) 7221:11</p> <p>felt (1) 7275:20</p> <p>Fernbridge (4) 7303:21;7321:22; 7322:2,5</p> <p>fertilizer (1) 7354:4</p> <p>few (4) 7240:3;7285:23; 7350:5;7356:22</p> <p>field (9) 7308:22;7309:9; 7347:21;7363:13,18, 20,21;7364:1,1</p> <p>fields (2) 7334:20;7369:7</p> <p>Fifth (3) 7297:11,12; 7395:4</p> <p>fight (3) 7267:19;7441:3; 7442:13</p> <p>fighting (2) 7317:20,22</p> <p>figure (4) 7271:7,16; 7296:18;7431:2</p> <p>figured (2) 7258:23;7288:2</p> <p>figures (1) 7344:14</p> <p>file (2) 7225:22;7439:10</p> <p>fill (7) 7276:14;7299:1; 7352:6;7353:1,7; 7433:18;7442:6</p> <p>filled (1) 7273:21</p> <p>filling (2) 7257:7;7273:24</p> <p>final (7) 7285:2;7288:24; 7289:4;7363:7; 7378:10;7379:8; 7395:25</p> <p>Finally (7) 7345:17;7402:12, 15;7403:17,21; 7404:8;7414:24</p> <p>financial (4) 7307:14;7317:25; 7323:5,15</p> <p>Financially (1)</p>	<p>7328:24</p> <p>financials (1) 7327:6</p> <p>find (15) 7227:13;7249:16; 7250:2;7254:8; 7255:8;7266:3; 7346:16;7347:9,10; 7357:12,21;7362:16; 7379:9;7389:4; 7416:10</p> <p>finding (1) 7429:24</p> <p>findings (4) 7362:12;7377:9, 14,19</p> <p>finds (1) 7411:21</p> <p>fine (7) 7259:17;7261:11; 7313:25;7324:25; 7392:4;7394:5; 7412:1</p> <p>finish (10) 7226:16,22; 7271:2,3;7275:13; 7370:19;7432:8,10, 12,23</p> <p>finished (1) 7431:11</p> <p>finishing (1) 7432:7</p> <p>firm (6) 7222:17;7223:2, 20,25;7224:1; 7335:13</p> <p>first (55) 7221:10,14; 7232:24;7233:14; 7237:16,23;7238:1, 1,2,5,6,9,17,20,25; 7246:25;7256:19; 7259:17,19;7263:23; 7264:2;7267:24; 7271:4,25;7276:18, 18;7287:19; 7293:10;7300:20; 7322:10;7325:12; 7336:1;7355:7; 7362:2;7378:13; 7379:1;7381:12; 7383:2;7385:16; 7392:18;7393:9; 7396:13,25;7404:9; 7406:13;7408:21; 7409:14,15;7412:5; 7414:15;7415:2; 7424:14;7436:3,23; 7437:25</p> <p>fit (4) 7241:8;7311:6,7; 7431:2</p> <p>fits (1)</p>
--	--	---	--	--

<p>7440:9 five (17) 7227:8;7231:24; 7253:24;7302:3; 7303:17,19;7319:4; 7320:23;7321:14,17; 7380:23;7382:22,24; 7393:11;7404:4; 7408:16;7437:25 fix (3) 7260:23;7357:23; 7403:7 flag (1) 7230:6 flat (4) 7235:25;7344:23; 7375:21;7376:18 flesh (2) 7441:14,20 flexible (2) 7311:14;7325:5 flies (1) 7302:7 flight (2) 7268:1;7271:13 floor (1) 7299:23 Florida (12) 7341:18;7343:22; 7346:25;7347:6; 7351:21;7352:2,3,5, 7;7376:10,12,13 Florida's (1) 7376:13 flows (1) 7342:1 fluid (26) 7251:16,18,20,22; 7256:1,9;7257:16, 19;7303:25;7304:3; 7306:11;7313:8; 7314:22,25;7321:19, 23;7342:7,10,13; 7345:3;7349:10; 7350:21;7365:19,24; 7374:7,11 flushing (1) 7339:14 FMMO (15) 7243:25;7371:19; 7374:2;7390:25; 7391:11,14;7393:10, 15,17,19;7397:8,12, 14,17,23 FMMO's (2) 7393:7;7407:15 FOB (2) 7240:10,18 focus (2) 7250:21;7406:25 focused (2) 7422:8,15 folks (2)</p>	<p>7275:23;7334:21 follow (8) 7228:11;7246:6; 7306:14;7345:18,21; 7357:2;7378:12; 7430:23 following (2) 7338:14;7402:9 Food (6) 7222:9;7271:7; 7309:11;7354:11; 7392:23;7408:25 Foods (9) 7223:12,23; 7309:4,5,6,8,11,14; 7310:13 foot (1) 7429:4 footnote (4) 7273:22;7378:14, 15,19 forage (1) 7339:5 force (1) 7366:24 forecast (2) 7384:23;7385:6 forecaster (1) 7385:4 forecasts (1) 7364:3 forego (1) 7317:10 foregoing (2) 7307:19;7317:5 Foreign (2) 7392:21,25 foreseeable (1) 7413:16 Forestry (1) 7334:12 forgot (2) 7385:16;7443:25 forlorn (1) 7271:9 form (5) 7339:6;7345:8; 7353:20;7363:23; 7366:9 formally (2) 7406:16,22 format (3) 7240:25;7249:1; 7403:23 formation (1) 7363:24 formatted (1) 7411:19 formed (2) 7365:4;7367:21 former (2) 7418:19;7434:21 formula (29)</p>	<p>7236:1,15; 7240:11,19;7243:9, 12;7244:5,10; 7245:20;7246:10; 7250:24;7251:1,5, 10;7252:1;7291:20; 7292:15,24;7293:2, 14,18;7294:6,17; 7295:17;7296:21; 7297:9,10,11,12 formulas (33) 7233:5,8,9; 7235:23;7236:22; 7240:6,9;7242:4; 7243:14,17;7244:1, 8,11;7248:20; 7253:14,16;7254:11, 12,12,14;7255:14; 7263:7,16;7288:7,9, 23,24;7289:4; 7291:5,7;7294:8,13, 19 formulating (1) 7284:19 Formulation (4) 7221:23;7222:6; 7295:2;7393:4 forth (3) 7288:18;7318:10; 7344:15 fortunate (1) 7357:9 Fortunately (1) 7271:20 forward (16) 7221:17;7225:7; 7229:23;7245:20; 7259:25;7260:1; 7268:17;7269:3,19; 7275:19;7294:25; 7334:7,14;7347:15; 7355:17;7428:15 Foster (38) 7223:13,18; 7228:12;7301:15,16, 17,18,19;7302:1; 7303:10,13,14,17; 7305:16,22;7306:1, 1,7,10,14,18,25; 7307:3,8,14,16,17, 18,23;7309:12,15; 7310:23;7317:4; 7319:3;7322:16,19; 7332:9;7367:22 found (18) 7237:22,25; 7238:5;7250:8; 7274:3;7277:19; 7278:22;7279:12; 7280:5,11;7282:16; 7283:1,5;7292:15; 7394:25;7395:18; 7405:21;7438:17</p>	<p>foundation (2) 7409:23,23 founded (1) 7303:13 four (7) 7256:12;7257:5; 7276:14;7363:18; 7368:13,23;7437:25 Fourth (3) 7256:8;7297:10; 7308:5 four-year (1) 7394:16 frame (1) 7366:12 Francisco (1) 7222:18 Frank (8) 7223:13;7228:12; 7300:1,6,14,25; 7301:14;7391:4 frankly (2) 7270:14;7286:9 fraternity (1) 7358:16 free (3) 7321:9,9;7392:25 freely (1) 7437:15 freestall (3) 7338:23;7339:3, 13 fresh (1) 7432:14 Fresno (3) 7221:4;7270:23; 7437:21 Friday (5) 7227:13;7228:9; 7270:9;7443:23,25 friend (1) 7302:10 front (4) 7253:6;7259:24; 7293:4;7388:2 frozen (2) 7307:11;7413:15 fruit (1) 7304:1 frustrated (1) 7296:13 fulfilled (1) 7367:24 fulfilling (1) 7352:7 full (7) 7389:10;7395:5; 7398:23;7399:18; 7405:1,2;7442:6 full-time (1) 7338:12 fully (3) 7275:17;7324:16;</p>	<p>7391:5 function (1) 7354:21 functionally (1) 7421:1 Fund (6) 7369:22;7379:11, 14,18;7422:19; 7425:2 funding (1) 7330:20 funds (5) 7323:6;7330:13, 18;7369:22;7380:9 funny (1) 7434:8 further (17) 7297:20;7298:23; 7307:4,7,10; 7343:12;7344:21; 7345:13;7348:21; 7359:11,12;7362:6, 23;7365:24;7377:3, 23;7382:22 furthest (1) 7234:6 future (5) 7226:23;7375:21; 7384:24;7411:9; 7429:3</p>
G				
			<p>gaining (1) 7270:15 gains (1) 7374:20 gallons (7) 7309:16,17,20,23; 7310:5,5,10 Gary (1) 7222:22 G-A-R-Y (1) 7222:22 gave (5) 7270:17;7298:6; 7306:8;7344:15; 7413:18 geared (1) 7422:2 GED (1) 7396:4 General (13) 7222:4,9;7319:8, 9;7321:18;7324:19, 23;7331:8;7350:6,6; 7364:8;7428:20; 7440:20 generally (4) 7317:1,8;7329:23; 7422:11 generated (3) 7290:25;7353:25;</p>	

7371:18 generating (1) 7354:21 genetics (1) 7393:2 gentleman (2) 7331:21;7433:2 gentlemen (7) 7300:16;7301:9; 7312:16;7318:9; 7323:3,19,24 geographic (1) 7386:17 geographically (2) 7285:14;7386:13 geography (2) 7386:2,3 George (2) 7224:14;7390:4 Georgia (57) 7224:7,9;7337:7, 23,23,25;7338:1,3,5, 14;7339:21,25; 7340:1,2,2,4,5,7,11, 13,14,15,16,21,22, 23,24,25;7341:14, 16;7343:18,25; 7344:3;7345:5,9; 7346:4;7351:13,15, 20;7352:4,5,6,15,22; 7353:14;7355:25; 7356:21;7357:4,7,9, 17,17,18,25;7358:9, 10;7361:6 Georgia's (4) 7340:9;7341:2,18; 7351:18 gets (7) 7293:8;7331:24; 7380:22,24;7385:5, 14;7389:13 Gino (5) 7224:13;7228:22; 7389:14;7390:3,16 giraffe (1) 7247:18 given (12) 7306:10;7307:6; 7316:7;7325:3; 7333:8;7336:13; 7344:24;7366:18; 7379:21;7406:17; 7413:17;7432:2 gives (3) 7260:25;7326:21; 7403:11 Glad (5) 7225:6;7260:13; 7335:1;7379:16; 7382:16 glassy (2) 7289:16,17 goal (2)	7305:23;7410:20 goals (2) 7311:16;7325:7 goes (12) 7267:8;7275:25; 7339:15;7343:22,23; 7347:6;7351:25; 7385:14;7420:11,12; 7437:17;7440:4 Good (82) 7221:18,21,24; 7222:3,5,11,16,20, 24;7223:1,8,12,13, 19,22,24;7224:1,3,5, 13;7227:17;7250:5; 7260:20,24;7272:7, 8;7283:7,20;7286:6, 7;7287:22;7297:16; 7299:25;7301:9; 7308:20,24;7312:16, 18;7319:21;7321:3; 7323:24;7324:25; 7333:16;7337:4; 7346:10;7349:3; 7351:8;7353:2; 7354:3,5,13;7355:5; 7357:16;7358:10,18; 7360:3,16,17; 7367:19;7373:9; 7376:15;7382:3,8, 16,16;7383:7,20; 7403:6,9;7406:9,10; 7407:16;7410:7; 7412:17;7419:21,25; 7420:1,2;7427:4; 7431:19,22,23 governed (1) 7329:24 governing (1) 7340:8 government (3) 7235:5;7357:8; 7429:20 gracious (1) 7382:5 graciously (2) 7268:7;7269:25 Grade (1) 7383:12 graduate (3) 7338:3;7392:19, 20 graduated (1) 7363:8 graduation (4) 7338:5,14; 7363:10,13 grammar (1) 7393:24 grandfather (1) 7364:16 grant (1) 7369:21	grass (1) 7339:7 grateful (2) 7299:17;7333:7 Great (6) 7258:7;7347:15; 7358:19;7367:8; 7382:20;7407:1 greater (7) 7237:4;7239:23; 7240:14;7345:7; 7367:1;7396:20; 7414:11 greatly (1) 7365:6 grew (1) 7313:23 Grievance (5) 7434:7,13;7436:7, 8,23 gross (2) 7422:14;7423:10 grossing (1) 7243:21 ground (4) 7253:3;7270:14; 7430:5;7434:24 groundwater (1) 7353:22 group (5) 7229:14;7358:17; 7361:1;7386:25; 7442:2 grouped (1) 7255:25 grow (3) 7339:19;7366:16, 24 growing (3) 7341:11,13; 7342:17 grown (2) 7338:9;7339:5 growth (6) 7310:21;7341:23; 7367:20,23;7378:17; 7380:23 guess (23) 7240:3;7274:2; 7287:4;7288:9; 7295:20;7303:1; 7317:8;7322:18; 7323:2;7324:14,17; 7327:13;7337:16; 7346:16;7347:14,22; 7385:25;7406:13; 7415:2,9;7429:9; 7430:25;7439:18 guessing (1) 7334:8 guide (1) 7255:7 guidelines (1)	7403:24 H Hahn (7) 7434:20;7435:3, 16;7437:6;7442:25; 7443:1,3 Hahn's (1) 7443:4 half (12) 7270:15;7326:21; 7333:18;7341:18; 7370:20;7373:10,14; 7375:11;7380:13; 7381:4,6,6 Hancock (64) 7223:15,15; 7228:10,10;7268:7, 22;7270:6,8,23,25; 7271:8;7300:12; 7301:3,5,5,8;7303:5; 7308:1;7311:18; 7312:1,6;7317:21; 7329:8,9;7333:14, 17;7348:25;7349:2, 3;7389:10;7390:5,6, 8;7396:10;7400:12; 7401:2,7,12;7403:5, 7,13,14;7405:9; 7406:12;7407:1,11, 14,20,24;7409:3,21; 7411:25;7412:12,25; 7431:10,12,15; 7432:1,10,16,17; 7441:1,2;7443:7 Hancock's (2) 7269:7;7299:22 hand (15) 7225:13;7231:25; 7239:25;7249:2; 7257:13;7260:5; 7262:15;7268:13; 7283:9;7300:21; 7336:7;7360:5; 7366:13,18;7389:21 handed (1) 7269:14 handle (7) 7290:24;7296:16; 7323:4;7419:12; 7421:6;7423:6; 7429:2 handled (1) 7424:9 Handler (7) 7311:2;7324:17; 7380:10;7399:5; 7401:23;7405:8; 7432:24 Handlers (17) 7223:16,20; 7224:16;7228:24;	7229:2;7301:6,24; 7349:4;7369:23; 7372:7,25;7390:17; 7414:23;7416:24; 7422:12;7423:4,10 Handlers' (4) 7398:19;7399:6; 7400:5;7409:13 handler's (1) 7425:1 handling (1) 7332:1 handlings (1) 7330:25 hands (4) 7309:6;7322:15, 21;7331:4 hands-on (1) 7231:9 handwritten (2) 7243:1,7 Hanson (1) 7222:17 H-A-N-S-O-N (1) 7222:18 happen (7) 7226:18;7227:3; 7228:21;7263:25; 7274:6;7413:11,17 happened (5) 7239:19;7334:22; 7382:17;7394:3; 7441:21 happening (1) 7240:4 happens (3) 7386:18;7428:24; 7439:6 happy (4) 7257:25;7271:4; 7303:9;7383:1 hard (4) 7267:19;7317:20, 22;7429:24 harder (2) 7312:24;7438:20 harm (7) 7345:16;7361:25; 7362:9,18,25; 7377:6,16 harvested (1) 7339:6 hasty (1) 7297:5 hat (1) 7396:16 Hatamiya (1) 7427:12 hate (1) 7274:22 hay (3) 7385:5,5,8 head (3)
---	--	--	---	--

7338:10;7364:16; 7388:13 heading (5) 7256:8,11; 7365:13;7373:20; 7434:11 headings (5) 7233:21,22; 7234:4;7365:12; 7392:7 headlined (1) 7290:12 heads (1) 7283:19 health (3) 7339:8;7340:10; 7341:22 hear (18) 7227:10,10,15; 7228:22;7229:14; 7271:11;7275:3,8; 7285:7,18,24; 7286:20;7317:21; 7335:18;7359:19; 7420:19,25;7436:2 heard (13) 7227:7;7229:15; 7268:10;7269:4; 7270:3;7285:17; 7286:24;7332:11; 7420:15;7424:4; 7437:6,8;7441:1 hearing (56) 7221:4,8;7225:6,7, 9,16,19,20;7227:8, 13,17,23;7228:3; 7236:2;7243:11; 7270:11;7284:23; 7285:8,15;7295:15; 7308:16;7318:10; 7330:22;7331:2; 7335:2;7342:4,22; 7343:10,14;7345:6; 7347:16;7354:17; 7359:8;7362:13; 7365:9;7369:19; 7374:2;7377:10; 7382:10,11,13,14; 7388:6;7390:18; 7393:8,13;7407:2,4; 7429:5,12,18; 7440:22,23;7441:5; 7443:8,8 hearings (6) 7434:20;7435:22; 7436:1;7440:20; 7441:9,13 hearsay (8) 7435:5,5;7437:16, 18;7438:3,5,17,18 heartfelt (1) 7361:14 heat (1)	7339:4 heavier (1) 7320:13 held (4) 7307:21;7328:22; 7393:8;7435:15 help (15) 7225:23;7228:6; 7259:13;7273:9; 7311:15;7312:21; 7325:6;7329:20; 7330:4;7348:2; 7363:16;7373:3; 7430:3,12;7433:18 helped (1) 7287:24 helpful (9) 7231:7;7234:4,12; 7289:13,18,25; 7333:8;7348:12; 7408:7 helping (2) 7393:20;7396:19 helps (3) 7234:9;7320:7; 7358:11 Henry (1) 7221:25 H-E-N-R-Y (1) 7221:25 herd (3) 7338:24;7339:4; 7371:8 Here's (3) 7374:23;7420:12, 13 hey (1) 7331:2 Hickman (2) 7303:18;7319:5 hide (1) 7325:13 high (7) 7255:3;7338:1; 7341:24;7346:11; 7364:19;7396:5; 7443:24 higher (12) 7250:14,22; 7251:7,11,14; 7266:8;7326:18,22; 7328:6;7342:2; 7366:23;7371:4 highlight (4) 7239:3;7283:14; 7369:8;7431:6 highlighted (10) 7295:16;7399:12; 7408:5,19,23; 7409:9,24;7410:2, 20;7411:23 HILL (3) 7222:8,8;7394:20	Hillside (3) 7394:23;7395:17; 7405:16 Hilmar (1) 7334:21 himself (1) 7438:1 hinged (2) 7239:9;7241:6 historically (1) 7441:21 history (1) 7239:16 hold (4) 7270:9;7392:14; 7429:12;7438:21 holders (12) 7308:17;7311:11; 7327:23;7379:20; 7391:7,17;7397:11; 7398:14;7411:9,11; 7416:6;7420:9 holding (2) 7305:18;7317:13 holds (3) 7259:22;7307:24; 7367:6 Hollon (5) 7230:1,6;7281:8; 7433:14,16 home (5) 7341:14;7364:10, 17;7389:7;7392:19 honestly (3) 7328:2;7331:25; 7432:1 Honor (76) 7221:18;7223:1; 7224:13;7226:11; 7229:4;7231:24; 7237:7;7256:17; 7257:25;7258:11; 7259:8;7261:3,14, 19;7262:19,23; 7266:16;7267:14,16; 7269:14;7270:8; 7273:7;7274:22; 7275:15;7276:10; 7283:17;7285:21; 7288:14;7289:7; 7298:12,23;7299:20; 7300:10;7311:18; 7312:1,6;7328:1; 7337:10;7347:23; 7359:13;7382:3; 7387:9,15;7390:6; 7391:21;7392:4; 7394:2,7;7397:3; 7399:24;7403:3; 7404:24;7406:5,19; 7407:20;7408:10,17; 7411:14,25;7412:12; 7419:11;7424:3;	7431:12;7432:1; 7434:4,14;7436:6, 19;7437:5;7438:10, 16,25;7439:13; 7440:4;7441:2; 7442:11 hope (8) 7250:12;7267:21; 7362:19;7369:15; 7382:17;7412:21; 7437:1;7439:2 hopefully (4) 7227:5;7250:8; 7359:10;7428:6 hoping (4) 7227:10;7228:14, 14;7441:11 horizontally (1) 7234:5 hotel (2) 7225:25;7285:13 hour (3) 7270:16;7271:17; 7333:19 hours (3) 7269:22;7339:2,2 housekeeping (4) 7226:19;7299:21; 7433:21,23 Humboldt (4) 7303:16,21; 7322:1,5 hundred (6) 7314:19;7338:11; 7384:15;7418:1,2,3 hundreds (1) 7305:19 hundredweight (44) 7244:1,15,17; 7245:8;7246:11; 7247:15;7248:4; 7249:8;7252:5; 7254:3;7256:2,9; 7263:8,13,14; 7264:6,17;7265:7; 7266:5;7273:25; 7276:15;7277:18; 7280:6;7291:22,24, 24;7292:7,9,17,18, 20,21;7293:10; 7308:11;7340:5; 7344:2,11;7371:20; 7372:8;7373:2,14; 7375:9;7380:23,24 hundredweights (1) 7244:20 hungry (1) 7271:6 hurdle (1) 7418:20 hurry (1) 7433:20 hypothetically (1)	7423:5 hypotheticals (1) 7315:14 <hr/> I <hr/> ice (4) 7302:6;7303:25; 7321:19,23 idea (10) 7327:18;7359:6; 7411:18;7416:15; 7424:18;7430:8; 7437:2;7438:16,19, 20 ideas (4) 7231:15;7339:18; 7427:23;7443:19 identical (2) 7398:8;7442:24 identification (10) 7273:12;7283:11; 7290:17;7300:8; 7337:2;7359:24; 7389:19;7401:23; 7436:17,22 identified (7) 7308:8;7318:13; 7329:12;7365:24; 7368:25;7398:11; 7433:10 identifies (1) 7362:23 identify (13) 7232:8;7246:24; 7247:21;7279:20; 7291:4;7301:4; 7312:22;7327:4,5,7; 7337:5;7394:3; 7427:21 identifying (1) 7342:5 II (18) 7241:4;7242:11, 12;7263:5,11,11,13; 7264:14,24;7265:23; 7266:6,7;7278:21, 22;7279:8;7281:2; 7282:11,14 III (37) 7236:22;7241:20; 7242:10;7245:24; 7246:18;7247:15; 7248:4;7249:4,8; 7250:24;7251:1,7,8; 7264:14,16,16,17,22, 25;7269:17;7279:10, 11,12;7281:2; 7282:20;7288:5; 7289:15,21;7290:13; 7291:2,20;7292:16, 22,24;7293:2; 7297:9;7298:14
---	---	---	--	--

imagine (4) 7229:13,15; 7428:22;7429:13	7372:22;7373:17	7424:17	7320:5	7238:15;7240:2; 7243:10;7245:17,22; 7246:21;7248:11,12, 13;7249:3,13; 7251:2,12;7253:6, 10,23;7254:24; 7255:4;7258:19; 7263:12,15;7265:18, 22,25;7266:6,8; 7269:20;7272:20; 7273:19;7274:19; 7275:22;7276:23; 7277:16;7278:13; 7284:19;7290:13; 7292:1;7298:14; 7312:17;7324:7; 7347:1;7349:21; 7397:13,16;7412:17
immediate (1) 7378:3	improve (6) 7339:9,10,19; 7342:20,22;7343:4	incorrect (1) 7387:2	information (24) 7227:6;7229:22; 7231:12;7259:14; 7280:25;7285:7,9; 7316:7;7335:2; 7343:8,15;7354:18; 7355:5;7368:16; 7372:10;7387:25; 7412:2;7425:3,9; 7428:1;7441:10,12, 19;7442:6	Institute's (4) 7263:5;7272:9,14; 7391:12
Immediately (4) 7233:21;7348:7; 7357:21;7392:19	improved (1) 7359:2	incorrectly (1) 7404:24	inherently (1) 7254:15	instructed (1) 7401:6
immigrants (1) 7396:6	improvement (2) 7368:14;7371:8	increase (17) 7282:24;7291:18; 7293:7;7308:15; 7346:20;7349:17; 7366:25;7368:3; 7369:24;7374:7; 7375:13;7380:19; 7411:12;7413:5,15, 16,18	initial (6) 7268:11;7284:19; 7287:6;7306:10; 7336:17,18	instructor (1) 7396:3
impact (39) 7258:25;7266:6; 7276:2,3;7280:5; 7291:23;7292:6,8; 7309:1;7343:13; 7344:19;7345:11,14, 20;7361:16,20,22; 7362:3;7369:17; 7374:24;7375:18; 7376:25;7378:2,3; 7379:24;7384:10,12, 19;7387:1;7388:10, 11,11,20,20,21; 7411:4;7427:8; 7429:8,14	inaccurate (1) 7274:5	increased (6) 7254:25;7306:15; 7338:23;7341:13; 7369:11;7386:21	initially (2) 7312:21;7353:25	insuring (1) 7332:20
impacted (4) 7278:1;7385:15; 7386:4,6	inappropriate (1) 7435:17	increases (2) 7249:24;7347:3	initials (3) 7357:24;7358:1; 7371:6	intact (2) 7310:24;7391:5
impacts (19) 7242:14;7246:18; 7250:10;7258:15; 7261:4;7275:25; 7289:22;7290:13; 7291:3;7298:14; 7354:14,15,20; 7375:24;7376:22; 7377:24;7384:14,23, 25	Inc (5) 7222:13,14,15,25; 7363:20	indeed (1) 7310:18	Inn (1) 7252:25	integrated (1) 7339:12
implemented (2) 7368:12;7373:24	Incentive (6) 7368:17;7369:9, 20;7370:5,23; 7375:12	independent (10) 7286:11,16; 7287:1;7304:6,22; 7305:14;7308:23; 7319:25;7320:18,23	inner (1) 7396:6	intend (4) 7276:11;7398:4; 7402:1;7424:16
import (3) 7366:8,20;7367:1	incentives (3) 7320:23,25; 7369:10	indexed (1) 7241:14	I-N-O (2) 7224:14;7390:4	intense (1) 7389:13
importance (1) 7437:7	inception (4) 7301:21;7310:18; 7370:5,23	indicate (5) 7269:16,25; 7312:10;7379:1; 7439:21	inputs (3) 7233:11,12; 7234:19	intent (14) 7390:22;7391:2,4; 7400:8,25;7401:18; 7402:10;7410:17; 7411:7;7416:23; 7422:9;7427:19; 7428:20;7430:13
important (11) 7230:21;7260:22, 22;7267:20; 7269:16;7270:4,18; 7290:4;7341:17; 7354:12;7407:22	include (12) 7236:1;7255:18; 7281:6;7296:22; 7311:10;7340:9; 7363:5;7377:23; 7378:8;7393:8; 7394:16;7408:24	indicating (4) 7230:1;7343:13; 7362:14;7377:11	inquiry (1) 7440:10	intention (4) 7334:13;7419:1,1; 7431:10
imposition (1) 7376:22	included (8) 7243:12;7295:24, 25;7298:5;7301:21; 7391:25;7408:12; 7439:2	indicated (5) 7273:21;7339:20; 7345:1;7354:23; 7361:16	insert (6) 7302:24;7391:25; 7392:5;7395:4,6; 7398:24	intents (1) 7411:5
Impractical (1) 7331:5	includes (1) 7305:19	indicates (4) 7348:8;7374:17; 7375:20;7439:8	inserting (2) 7399:10,13	interest (7) 7245:10;7334:17, 17;7356:16; 7367:22;7394:6; 7411:25
impressed (1) 7379:17	including (8) 7221:13;7276:3; 7307:19;7310:25; 7314:4;7317:5; 7364:6;7408:4	indicating (4) 7230:1;7343:13; 7362:14;7377:11	inside (1) 7324:12	interested (4) 7250:6;7285:10; 7368:21;7438:15
impression (2) 7359:2;7386:22	inclusion (1) 7391:15	indication (1) 7261:20	inspect (1) 7357:11	interesting (3) 7427:2;7436:13; 7439:23
impressive (2)	inclusive (1) 7254:19	individual (2) 7239:7;7292:12	inspection (2) 7357:14,19	interests (2) 7393:23;7394:8
	income (2) 7327:10;7329:2	industry (15) 7340:9;7341:23; 7352:6;7361:1,18; 7364:14,16,23; 7365:4;7367:24; 7368:7,10,11; 7374:5;7381:7	instance (3) 7295:1;7417:25; 7427:9	interfere (1) 7331:23
	incorporate (1) 7423:17	industry's (1) 7365:9	in-state (1) 7341:15	
	Incorporated (11) 7224:8;7324:12; 7337:7,24;7339:21; 7340:19;7361:7; 7393:19;7413:20; 7422:12;7439:6	influence (1) 7442:14	instead (9) 7239:12;7255:23; 7256:10;7259:2; 7276:7;7294:16; 7318:24;7330:18; 7394:9	
	incorporates (1) 7414:3	influx (1)	Institute (53) 7223:4,9,11; 7232:13;7233:13; 7235:18;7236:9,21;	

<p>interpreting (1) 7277:9</p> <p>interrupt (6) 7227:19;7229:11; 7252:8;7270:2; 7274:22;7370:21</p> <p>interrupted (1) 7370:17</p> <p>interruption (2) 7252:9,14</p> <p>into (88) 7225:11;7228:15; 7231:6;7232:18; 7233:23;7235:8; 7245:3,20;7246:23; 7265:8;7266:21,22, 25;7267:3,10,11,13; 7287:12;7291:10,11, 23;7292:7;7293:2,8, 9,24;7298:3,18,19, 22;7299:9,10,12; 7307:4;7311:22,23, 25;7314:1;7315:2; 7316:18,18;7317:1; 7322:23;7326:1,6; 7332:3,17,24; 7339:1;7348:15,16, 17,19;7351:21; 7352:5;7368:22; 7372:6;7380:1; 7381:19,20,22; 7385:25;7390:14; 7393:19;7397:20,22, 25;7408:6;7409:1, 19;7410:16; 7411:18;7412:7,8, 11;7413:4,21; 7422:12;7423:3,17; 7426:19,25;7430:4; 7438:7;7440:9; 7441:4,22,23</p> <p>intrigued (1) 7418:23</p> <p>introduce (1) 7334:10</p> <p>introduced (3) 7226:6;7229:5; 7386:5</p> <p>introduction (2) 7376:21;7378:5</p> <p>inversions (2) 7316:9,14</p> <p>invested (1) 7307:4</p> <p>investment (2) 7305:19;7325:2</p> <p>invitation (4) 7394:21;7395:12, 13,14</p> <p>invite (6) 7232:2;7348:21; 7356:11;7387:7; 7430:18;7442:5</p>	<p>involve (1) 7317:12</p> <p>involved (4) 7231:9;7310:21; 7326:6;7340:12</p> <p>irrigating (1) 7339:14</p> <p>irrigation (1) 7339:9</p> <p>Ishi (2) 7382:9;7437:20</p> <p>isolated (1) 7304:15</p> <p>issue (5) 7230:6;7272:7; 7323:14;7357:12; 7419:18</p> <p>issued (3) 7308:14;7313:4,6</p> <p>issues (14) 7227:18;7231:17; 7287:25;7340:8; 7358:20,22,22; 7359:4,9;7390:25; 7391:14;7410:13; 7437:6;7441:14</p> <p>item (1) 7424:13</p> <p>items (2) 7318:15;7435:9</p> <p>IV (25) 7241:20;7242:10, 14,19;7243:25; 7245:17,24;7246:10; 7251:5,10,10; 7269:17;7280:4,17; 7281:2;7283:3; 7289:21;7290:13; 7291:3,7,9,24; 7292:10,20;7298:14</p> <p>IV-A (1) 7244:9</p>	<p>7364:18</p> <p>John (1) 7338:7</p> <p>join (2) 7227:24;7361:9</p> <p>joined (1) 7302:1</p> <p>joint (6) 7414:6,8;7425:17; 7426:13;7429:15,16</p> <p>journal (4) 7323:15;7330:3, 11;7331:2</p> <p>joy (1) 7227:10</p> <p>JUDGE (349) 7221:2,7;7224:17, 22;7225:13;7226:8; 7227:12,22;7228:2; 7229:9,20;7230:11, 14;7231:25;7237:2, 6;7239:22;7245:7; 7252:8,13,24; 7256:19;7258:2,7; 7259:4;7260:13,18, 24;7261:2,11,24; 7262:1,3,7,10,13,20; 7265:12,14;7266:18; 7267:1,8,15;7269:4; 7270:6,21,24; 7271:1,9,15,19,25; 7273:9,13;7275:2,6, 8,12;7276:6,17,19, 25;7277:8;7278:16; 7279:1,20,24; 7280:1,10,15,19; 7281:12,14,18; 7282:4,7,9;7283:9, 18;7285:25; 7286:20;7287:18; 7288:13;7289:3,8; 7290:1,7,14,18,21; 7295:3,6;7296:11, 16,24;7297:3,16,18, 22;7298:9,16,24; 7299:4,8,13,25; 7300:5,9,11,13; 7301:1,3;7302:12, 19,22;7303:1,4; 7306:20;7308:2,4; 7309:17,20,22; 7310:2,8;7311:20; 7312:8;7317:22; 7318:4,19,21; 7323:20;7325:16; 7326:2,5,14,19; 7327:8,18;7328:5, 10,13,17,20;7329:4, 10;7333:2,7,16,18; 7334:2,8,25; 7335:10,13,15,21; 7336:2,5,12,16,19, 21;7337:3,9,15;</p>	<p>7338:18,21;7341:5, 7,9;7344:14,18; 7348:1,6,12,20,25; 7351:3;7356:4,10, 25;7357:14,16,24; 7358:3,5,8,10,19; 7359:3,11,14,17,20, 25;7360:9,13; 7365:12;7367:14; 7370:9,13,15,17; 7371:2,4,9,12; 7372:1,15,17,19,22; 7373:1,4,9,12,16,19, 22;7374:9,13; 7375:2,7;7376:3,7,9, 12,15;7377:17,21; 7381:11,16,25; 7382:9,11,16,19; 7383:1,21;7385:11; 7387:6,16,23; 7388:23;7389:6,12, 17,20;7390:1,5; 7391:24;7392:5; 7393:24;7394:5,9, 11,15;7395:3,10; 7397:2,4,19,21; 7398:2,21;7399:3,6, 17,22,25;7400:18, 20,23;7401:16; 7402:18,21,24; 7403:2,4,6,9,13; 7404:3,6,13,22,25; 7405:24;7406:3,6,9, 11,14,24;7407:7,13, 16,22;7408:14,18; 7409:8,14,16; 7411:16;7412:4,14; 7419:5,7,12,21; 7423:23;7428:11; 7430:18;7431:8,13, 19;7432:8,15; 7433:2,8,15,17,22, 25;7434:3,5,6,6,9; 7435:21;7436:2,9, 11,20;7437:1,20; 7438:8,15,23; 7439:5,7;7440:2,10; 7441:1;7442:10,24; 7443:6,11</p> <p>judgment (1) 7400:6</p> <p>jump (1) 7418:20</p> <p>junction (1) 7327:20</p> <p>June (1) 7436:9</p> <p>jury (1) 7442:2</p> <p>Justice (4) 7393:16,20; 7394:22;7395:15</p> <p>Justin (2)</p>	<p>7338:13,15</p> <p style="text-align: center;">K</p> <p>KDC (1) 7379:4</p> <p>KDDC (13) 7360:25;7361:1,4; 7362:2,24;7367:4, 21;7368:3,6,9,12; 7369:21;7376:24</p> <p>KDDC's (3) 7362:22;7368:7; 7374:19</p> <p>KDIP (2) 7368:15,23</p> <p>keep (8) 7228:2,6;7254:22; 7258:3;7317:20,22; 7318:2;7385:2</p> <p>keeping (1) 7329:24</p> <p>Kentucky (44) 7224:6,12;7337:6; 7346:2;7360:23,24, 25;7361:1,2;7363:9; 7364:10,13;7367:2, 3,8,9,22,25;7368:13, 14,16,17;7369:6,9, 10;7370:6,24; 7371:11,23;7372:4, 12;7379:10,14,17, 20,22,23,25; 7380:12;7383:11,12, 13,17,18</p> <p>Kentucky's (6) 7367:6,23; 7369:21,23;7370:20; 7371:13</p> <p>key (2) 7306:2;7374:15</p> <p>kind (18) 7232:24;7234:9; 7237:10,12;7290:23, 24;7352:20; 7369:12;7396:14; 7406:13;7413:14; 7414:6,9,10; 7415:25;7430:5; 7432:4;7442:5</p> <p>kinds (2) 7317:9;7440:12</p> <p>knew (2) 7396:14;7433:20</p> <p>knowing (2) 7227:2;7268:11</p> <p>knowledge (2) 7421:8,24</p> <p>knowledgeable (1) 7231:9</p> <p>known (2) 7332:9;7336:19</p> <p>knows (1)</p>
--	--	--	--	---

<p>7318:22 Knudsen (4) 7301:17;7318:16, 18,24 K-N-U-D-S-E-N (2) 7318:16,24 Knutson (2) 7318:18,23 K-N-U-T-S-O-N (1) 7318:14 Kraft (2) 7364:17,24 Kristine (1) 7223:24 Kroger (1) 7364:13</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>la (6) 7223:19,19; 7335:8,9,12,14 label (2) 7256:22;7322:1 labeled (2) 7282:19;7436:6 labels (1) 7257:7 laboratory (1) 7364:20 lagoon (1) 7339:13 Lai (2) 7223:22,22 L-A-I (1) 7223:22 Land (15) 7222:15,21; 7267:23;7321:22; 7338:11;7339:10; 7353:21;7365:6; 7434:18,19,21; 7437:9;7438:2; 7443:2,4 language (61) 7228:23;7311:13, 14,15;7324:24; 7325:6;7378:19; 7390:20;7391:1,10, 11,13,16,21;7392:1, 4;7396:6,24; 7397:11;7399:19; 7402:3,8,13,16,19; 7403:22;7406:21,23, 24;7408:13;7409:6, 10,25;7410:3,19; 7411:1,22;7413:22, 23;7414:13;7415:10, 11,14,15,17,20,20; 7416:7,10;7417:5, 24,24;7418:11,13, 15;7423:3;7424:6; 7425:7;7427:6;</p>	<p>7430:15;7432:19 languages (1) 7410:17 large (7) 7244:16;7302:4, 17;7341:17; 7353:17;7356:16; 7367:10 largely (2) 7240:23,24 larger (8) 7239:13,16; 7250:4,8;7291:3; 7344:7;7353:3; 7394:18 largest (1) 7306:8 last (26) 7224:14;7229:16; 7244:10;7253:18; 7256:11;7275:24; 7283:22;7286:8; 7287:24;7296:12; 7302:7;7305:21; 7340:11;7350:5; 7371:5;7390:4; 7395:5,10;7398:22; 7399:18;7404:25; 7405:1,2;7414:24; 7418:1;7420:14 late (5) 7227:15;7230:12; 7268:2;7299:17; 7414:5 later (6) 7270:1;7271:18, 20;7285:22; 7326:11;7416:11 latest (1) 7403:24 Latin (1) 7392:23 Laurel (2) 7222:5;7224:25 Lauren (1) 7222:3 Law (11) 7221:7;7222:17; 7223:2,24;7224:1; 7332:7;7335:13; 7385:22;7386:14; 7414:3;7439:24 lawsuits (1) 7393:16 lawyer (1) 7385:21 lay (1) 7267:23 layout (1) 7263:16 lead (1) 7281:12 leader (1)</p>	<p>7231:9 leadership (5) 7270:4;7306:1; 7368:17,20;7369:9 learned (2) 7411:17;7433:7 least (11) 7288:5;7312:21; 7345:19;7382:21; 7413:16;7417:13; 7418:4;7421:13,17; 7426:24;7441:11 leave (15) 7228:14;7261:19; 7268:13;7269:12; 7270:20,21,23,24; 7271:15,17,19; 7316:13,15;7333:4; 7431:15 leaves (2) 7271:13;7315:15 led (2) 7310:19;7365:9 ledgers (1) 7323:4 left (11) 7233:12;7243:6; 7249:2;7253:24; 7256:1;7259:19; 7262:14;7263:4; 7283:15;7373:7; 7403:15 legal (7) 7231:10;7304:18; 7327:20;7330:5,7; 7421:12;7422:3 legally (1) 7405:18 legal-sized (2) 7250:3;7261:7 legislation (1) 7340:9 legislative (3) 7308:12;7313:2; 7326:11 legislators (1) 7306:2 Legislators' (1) 7306:15 leisure (1) 7258:8 lend (1) 7335:1 length (1) 7270:11 lenses (1) 7242:7 Leprino (5) 7223:12;7286:11, 16,25;7287:7 Leprino's (1) 7286:13 less (19)</p>	<p>7245:17;7257:14; 7270:14;7272:22; 7316:10,15;7324:8; 7342:14;7345:2; 7349:11;7350:19; 7355:9;7399:10,14; 7416:19;7417:19; 7426:1;7427:24; 7437:15 letter (2) 7253:25;7256:23 letters (2) 7233:23;7256:20 letting (1) 7333:5 level (17) 7245:1;7254:16; 7274:17,18;7291:6; 7292:1,9,14; 7293:11;7307:5; 7308:22;7309:1,9; 7346:11;7347:20; 7370:2;7409:23 levels (3) 7245:25;7291:12; 7321:6 leveraged (1) 7371:24 Lexington (1) 7361:2 Liberty (1) 7360:24 licensed (2) 7367:11;7378:23 life (1) 7364:16 lifetime (1) 7364:21 light (1) 7354:19 liked (3) 7396:15;7415:12, 13 likelihood (1) 7345:13 likely (3) 7274:14;7345:6; 7375:18 likened (1) 7421:2 likewise (2) 7404:20;7405:5 limit (1) 7440:23 limitation (1) 7407:1 limitations (2) 7311:8;7322:9 limited (6) 7301:22;7386:13; 7390:20;7411:6; 7422:2,8 line (32)</p>	<p>7221:17;7225:11; 7228:11;7237:10; 7239:25;7253:22; 7256:8;7262:14,15; 7283:14;7289:23; 7291:2;7293:22; 7297:14;7302:23; 7308:5,5;7310:4; 7318:12,22;7325:21, 25;7346:17;7395:5; 7398:23,23;7404:11; 7410:13;7414:19; 7434:11,11;7442:15 lines (2) 7257:5;7293:13 links (1) 7402:9 lion's (1) 7379:22 liquid (38) 7246:23;7247:22; 7248:1,3,4;7249:9, 14,21,24;7250:18; 7251:3,9,13,21,22; 7252:2,17;7254:2; 7255:15,25;7256:4, 6,10;7257:11,20,23; 7278:2,9,12;7279:7, 14,16,22;7280:8; 7281:25;7282:25; 7283:2;7295:21 list (1) 7288:7 listed (2) 7307:17;7325:20 listen (6) 7331:9,19;7389:1, 1,4;7418:10 listened (1) 7420:14 literally (1) 7393:6 litigation (1) 7440:15 little (41) 7229:11;7243:1; 7250:18;7254:6; 7255:2,3,15; 7260:10;7268:2; 7289:16;7294:24; 7297:5;7312:24; 7317:14,15;7319:18; 7320:13;7321:15; 7348:1;7349:6; 7351:24;7353:9,16; 7357:7;7363:8; 7375:3;7379:13; 7384:4,21;7396:17; 7405:19;7406:14; 7410:12;7419:16,19; 7425:17;7430:23; 7431:1;7432:3,9,13 live (5)</p>
---	---	---	---	--

<p>7225:16;7260:20; 7388:25;7389:3; 7392:12 livestock (2) 7338:16;7393:1 LLC (1) 7337:22 load (4) 7353:8;7372:9,11, 13 loads (3) 7339:1;7353:4; 7372:5 loan (1) 7392:18 loans (1) 7369:2 local (9) 7342:17;7346:12; 7354:11;7366:17,24; 7368:13,18;7369:3; 7386:17 locate (1) 7276:13 located (6) 7227:7;7303:20; 7340:2;7353:5; 7392:14;7396:8 location (6) 7258:21;7274:2; 7295:20;7319:7,8,9 locations (1) 7322:2 lock (1) 7263:22 locked (1) 7264:2 locking (1) 7238:14 logic (5) 7240:25;7243:20; 7248:2;7293:17; 7294:6 LOL (1) 7222:15 Lonestar (1) 7340:18 long (12) 7268:8;7324:18, 20;7358:14;7365:4; 7382:23;7395:12; 7412:21,22;7430:24; 7433:24;7439:10 longer (9) 7261:21;7270:14; 7285:5;7323:14; 7324:16;7328:18; 7338:25;7385:7; 7403:24 look (51) 7234:12,18; 7239:7,23;7242:1,2; 7244:19,23;7247:22;</p>	<p>7258:15;7259:19; 7261:24;7262:1; 7263:24;7268:11; 7276:17,19,21,22; 7289:1;7293:6; 7295:3;7296:13; 7325:20;7327:9,13; 7346:9,17,23; 7347:1,11;7370:9; 7380:4;7403:2; 7404:3;7407:23; 7408:14;7414:13,14, 15,20,21;7415:17, 23;7416:6,9; 7424:12;7425:14; 7431:4;7439:14,16 looked (6) 7262:5,12; 7287:23,24;7414:22, 24 Looking (22) 7225:7,22;7228:5; 7230:3;7234:10; 7239:24;7242:18; 7253:2;7281:12; 7284:10;7285:4; 7289:3;7295:4; 7331:21;7346:4,10; 7347:8;7388:18; 7414:17;7428:15,23; 7431:1 looks (2) 7271:9;7411:21 loosely (1) 7254:13 lose (4) 7270:10,20; 7322:25;7344:4 losing (1) 7309:1 loss (11) 7304:17;7326:3, 16;7327:24;7344:6, 8,8,12,12;7375:10, 13 losses (1) 7344:15 lost (1) 7310:13 lot (31) 7226:13;7241:22, 25;7242:5;7246:15; 7259:10,14,14; 7267:21;7268:16,25; 7269:10,17,18; 7289:20;7312:25; 7347:4;7349:20; 7350:23;7352:6; 7356:9;7367:19; 7383:25;7384:18; 7388:5,7;7417:25; 7431:9;7437:6,8; 7439:24</p>	<p>lots (2) 7224:20;7353:8 love (1) 7443:22 low (1) 7255:3 lower (12) 7255:5,13,15; 7342:13;7345:2; 7346:24;7354:4; 7355:18;7361:19; 7363:4;7366:24; 7378:6 lowers (1) 7350:24 lowest (2) 7239:25;7262:15 lunch (6) 7228:16;7269:2; 7333:14,20;7335:24; 7432:11 LUND (54) 7223:17,17; 7228:12;7270:7; 7271:5;7301:2,2,15; 7312:2,9;7313:20, 20;7314:7,10,14,23; 7315:1,6,11,18; 7316:1,4,12,20,23; 7318:5;7321:8; 7322:17,20,24; 7323:3,9,14,17,21; 7325:1;7326:16,17, 21;7327:14,15; 7328:16,23;7329:5, 10,14,18,23,25; 7330:8,14;7332:13, 21;7333:3 L-U-N-D (1) 7223:17</p>	<p>maintaining (6) 7307:18,20; 7317:4,6;7341:21; 7342:17 maintenance (1) 7311:1 major (3) 7340:24;7341:14; 7393:9 majority (3) 7286:13;7322:4; 7347:18 maker (1) 7364:16 makes (5) 7260:11;7311:10; 7347:11;7380:6; 7438:15 making (10) 7221:8;7256:21; 7258:4;7316:11; 7332:2;7380:7; 7393:14;7394:20; 7412:2;7440:14 Man (1) 7363:13 manage (1) 7313:18 managed (1) 7338:5 management (5) 7353:18;7357:12, 19;7368:20;7369:2 manager (4) 7331:8;7363:25, 25;7364:4 manner (3) 7353:21;7404:18; 7435:12 manufacture (1) 7303:24 manufactured (5) 7254:14;7303:22; 7316:10,15;7332:18 manufacturing (3) 7274:13;7350:20, 21 manure (6) 7339:10;7353:12, 18,20,22;7357:20 many (9) 7272:22;7274:20; 7315:13;7319:10; 7351:13;7369:1,7; 7388:2;7408:15 March (2) 7307:3,10 marching (1) 7437:20 marginal (2) 7287:11,14 mark (10) 7232:3;7273:7,10;</p>	<p>7283:9,19;7290:14; 7300:5;7359:22; 7389:14;7436:3 marked (14) 7273:12;7283:8, 11,14,16;7290:17; 7300:8;7337:2,14; 7359:24;7389:19; 7436:5,17,22 Market (35) 7235:15;7239:19; 7241:17;7285:6; 7308:24;7322:19,23; 7329:18,22;7342:3, 11,20;7343:1,4,7,11; 7346:12;7347:17; 7349:11,23;7352:7; 7364:2;7367:4,5; 7368:17;7369:8; 7372:10;7374:8,11; 7386:18;7392:25; 7425:4,8,25;7426:8 marketed (1) 7369:25 Marketing (45) 7221:20,22; 7222:1,9;7265:19; 7288:17,19;7294:14; 7299:6;7327:22; 7341:20;7343:6,8, 22;7350:6;7352:23; 7353:3;7358:23; 7361:10;7362:10; 7363:10,20;7365:5, 15;7375:16; 7380:15;7384:9; 7390:25;7391:6; 7393:7,14,18; 7394:17,19;7402:11; 7406:20;7407:5,10, 12,14,18,19;7409:7; 7413:5;7435:22 marketplace (6) 7275:25;7308:18; 7341:18;7342:23; 7349:11;7378:21 markets (12) 7303:24;7307:7; 7308:13;7313:3,5,7, 8,9,11;7356:17,20; 7380:11 market's (1) 7285:3 marking (2) 7257:4;7336:23 married (1) 7302:10 Marvin (9) 7222:11;7229:21; 7272:7;7286:9; 7297:25;7318:8; 7351:7;7383:7; 7419:25</p>
			M	
			<p>ma'am (13) 7365:13,14; 7370:14,16;7371:16; 7372:2,18;7373:15; 7374:12;7375:6; 7377:20;7387:22; 7388:4 Madison (1) 7337:23 mailbox (2) 7276:20;7371:19 main (1) 7340:7 Maine (4) 7223:7;7334:12; 7433:3;7443:24 maintain (6) 7307:5;7317:10; 7324:18,20;7340:3; 7366:15</p>	

<p>M-A-R-V-I-N (1) 7222:11</p> <p>Mary (1) 7280:11</p> <p>Maryland-Virginia (3) 7340:18;7352:24; 7353:6</p> <p>massive (2) 7269:14;7291:1</p> <p>master (2) 7379:18;7392:15</p> <p>match (1) 7380:8</p> <p>matched (1) 7380:5</p> <p>matching (2) 7369:22;7379:9</p> <p>material (2) 7259:14;7437:19</p> <p>materials (3) 7297:6;7332:13; 7439:18</p> <p>math (6) 7233:24,25; 7314:16;7315:4,13; 7337:16</p> <p>mathematics (1) 7396:3</p> <p>matter (4) 7275:4;7433:22; 7440:7;7442:17</p> <p>matters (8) 7224:24;7226:10, 20;7230:14; 7231:19;7299:21; 7440:5,15</p> <p>Max (2) 7303:14;7306:1</p> <p>maximums (1) 7375:1</p> <p>Max's (1) 7332:11</p> <p>May (98) 7222:5,5;7224:25; 7225:3,12;7227:14; 7231:11;7232:9; 7252:10;7258:4,6,9; 7262:2,20,22; 7267:25;7268:20; 7269:24;7271:22; 7273:10,13,14; 7285:22,22;7290:15, 21;7296:20,21; 7297:3,16,17,18; 7298:10;7300:3,4; 7301:4;7302:19,21, 25;7303:3,4;7308:4; 7310:3,4,7;7312:9, 10;7314:14;7316:5; 7318:22;7335:4; 7336:23,25;7337:9; 7338:18,20;7350:18; 7354:18;7358:11;</p>	<p>7359:18;7360:13; 7374:13;7376:16,17; 7377:21,22;7379:8; 7389:8,13,16; 7390:5;7394:11,14; 7395:4,8;7398:21, 22;7400:18,19; 7403:23;7404:7,13, 24;7406:9,10; 7407:2;7414:5; 7429:2;7433:25; 7434:5;7436:11; 7439:9,9,11;7440:6; 7441:15;7443:19,25</p> <p>maybe (20) 7227:14,20; 7231:24;7260:10; 7270:15;7285:24; 7318:11;7322:10; 7323:3;7351:12,23; 7392:1;7416:14; 7421:17,18;7425:11; 7431:5;7432:6,12; 7439:15</p> <p>MBA (1) 7302:9</p> <p>mean (33) 7245:9;7258:2; 7260:21;7313:15; 7315:20;7317:18; 7323:12;7325:1; 7328:2;7330:21; 7331:4,22;7335:23; 7349:9;7351:23; 7358:17;7407:2; 7414:20;7415:9; 7418:14;7421:5; 7422:13;7423:5; 7425:16,24;7429:11, 22;7431:15; 7435:24;7436:8; 7438:16;7439:13; 7440:20</p> <p>meaning (3) 7242:16;7246:16; 7416:16</p> <p>means (6) 7237:12;7263:2; 7313:5;7325:9; 7416:2;7417:12</p> <p>meant (8) 7258:3;7313:10; 7335:24;7370:24; 7382:14;7385:15; 7423:24;7424:3</p> <p>measurable (1) 7307:14</p> <p>mechanism (1) 7327:24</p> <p>medicine (1) 7354:11</p> <p>meet (5) 7370:1;7381:2;</p>	<p>7428:6;7437:24,25</p> <p>meeting (1) 7268:18</p> <p>meetings (9) 7226:17;7267:20, 21;7270:5,12; 7299:16;7340:21,22; 7364:2</p> <p>Megan (2) 7222:16,17</p> <p>M-E-G-A-N (1) 7222:17</p> <p>member (7) 7339:22,24; 7352:10,11;7366:15, 16;7392:17</p> <p>members (5) 7351:15;7364:4, 12;7368:8,10</p> <p>membership (1) 7354:9</p> <p>Memorandum (1) 7426:18</p> <p>memory (2) 7256:25;7385:14</p> <p>mention (1) 7426:21</p> <p>mentioned (12) 7241:24;7284:16; 7287:8;7288:3; 7299:20;7308:7; 7329:12;7330:3; 7357:2;7379:9,17; 7433:19</p> <p>merged (2) 7363:18,23</p> <p>methodology (3) 7281:7;7293:25; 7295:14</p> <p>microphone (3) 7326:20;7360:3; 7412:20</p> <p>microphones (1) 7335:22</p> <p>mid-1990's (3) 7393:22;7394:1,4</p> <p>midday (1) 7230:7</p> <p>middle (5) 7243:25;7275:2; 7372:23;7394:13; 7405:13</p> <p>Midwest (3) 7222:1;7365:7; 7393:23</p> <p>might (25) 7226:1;7228:21, 22;7229:21;7259:10, 12;7275:16; 7289:18;7294:24; 7327:1;7334:9; 7346:8;7355:22,24; 7362:1;7378:1;</p>	<p>7416:10;7418:11; 7422:12;7423:7; 7431:19;7440:3,24; 7441:4,15</p> <p>mil (3) 7373:2,9,12</p> <p>mile (2) 7372:8,9</p> <p>miles (2) 7227:8;7372:12</p> <p>military (1) 7406:17</p> <p>milk (310) 7221:4;7222:1; 7223:25;7224:2,4,7, 9;7234:24;7235:23; 7236:16;7237:21,22, 24;7238:12;7239:10, 15;7242:19; 7251:24;7252:5; 7253:15;7265:19; 7274:7;7279:9; 7286:14,25;7287:1, 9,11,11,14;7291:14, 19,22;7302:6; 7303:25;7304:1,3,5, 6,10,23;7305:1,12, 14,15;7306:5; 7308:9,24;7309:9, 10,21,24;7310:6,10; 7313:8,19;7314:22, 23,25;7316:25; 7319:10;7320:1,2,3, 4,5,6,7,7,15;7321:6, 9,19,23;7322:4; 7323:12;7325:21,25; 7327:22;7330:2; 7331:17,23;7332:14, 16,23,24;7337:7,24, 25;7338:8,10,25; 7339:1,1,8,15,21,23; 7340:1,5,10,11,11, 14,15,18,18,19,23, 24;7341:1,1,13,14, 16,17,18;7342:3,5,8, 12,14,17;7343:18; 7344:1,10,20,22; 7345:2,3,5,9;7346:4, 21;7347:18,19; 7349:7,7,10,11,13, 18,22,23;7350:1,9, 15,16,21;7351:15, 18,20,25,25;7352:3, 3,4,5,20,24,25,25; 7353:8;7354:22; 7356:20;7358:23; 7361:6,11,20,22; 7362:7,8,10,14; 7363:4,10,14,16,17, 20;7364:3,5,11,12, 19,20;7365:15,20, 21,24,25;7366:1,8, 21,23,24,24;7367:1,</p>	<p>12,12,16,17,17; 7368:13,17,18; 7369:9,14,20,23,25; 7370:1,7,7,20; 7371:14,18,20,21; 7372:2,4,6,9,13; 7373:21,25;7374:4, 7,11,15,20,21; 7375:8,13,16,20,24; 7376:1,17;7377:5,6, 12;7378:6,14,22,22; 7380:5,12;7384:9, 12;7385:8;7390:25; 7393:7,22,25; 7394:17,18,25; 7395:19;7396:12,15; 7397:1,2,3,4; 7398:17,20;7399:5, 6,7,10,14,20;7400:5, 5,10;7401:19; 7402:11;7405:22; 7406:20;7407:12,14, 18,19;7409:7,13; 7412:18,22;7413:5; 7414:23;7416:19,19, 25;7417:1,2,19,19, 21;7418:6,7;7419:2, 2,9;7420:16; 7421:13;7422:20,20, 21;7435:22;7438:12</p> <p>milked (1) 7388:18</p> <p>milking (5) 7303:18;7319:4, 15;7339:1;7388:12</p> <p>Milk's (3) 7340:4,7,21</p> <p>million (28) 7307:8;7309:16, 17,20,23;7310:10; 7344:1,11,12,13; 7346:20;7347:3; 7354:22;7365:23; 7370:5,15,18,23; 7371:18,21,24; 7372:1,4,17;7375:9, 11,14;7378:22</p> <p>millions (3) 7305:20,24; 7307:15</p> <p>mils (1) 7373:13</p> <p>Miltner (4) 7223:24;7224:1,1, 1</p> <p>mind (4) 7301:12;7359:4; 7366:14;7385:2</p> <p>mine (1) 7428:19</p> <p>mine's (2) 7283:18,18</p> <p>minimum (19)</p>
---	--	---	--	--

7272:18;7273:4,6; 7276:7,21;7277:1,5; 7286:17,21;7315:23, 23;7320:19,19; 7332:25;7341:24; 7344:5;7375:1,14; 7422:21 minor (3) 7302:17;7397:14; 7410:11 minority (4) 7302:4,24,25; 7303:2 minus (7) 7237:18;7238:9, 10,17,19;7278:8; 7281:22 minute (6) 7252:8;7265:12; 7294:24;7370:21; 7382:22;7429:4 minutes (10) 7260:19,25; 7285:23;7290:4; 7335:6;7382:9,24; 7403:10,11;7432:7 mischaracterized (2) 7405:18,18 mismatch (1) 7281:5 miss (6) 7350:19;7388:15, 17;7389:3;7415:21; 7425:11 missed (1) 7302:21 missing (3) 7267:20;7270:4; 7308:3 mission (1) 7367:24 misspelling (2) 7318:19,20 mistake (2) 7367:15;7401:7 mistaken (1) 7414:5 misters (1) 7339:2 misunderstood (1) 7421:18 MMI (3) 7363:21,22,23 model (4) 7274:18;7275:23; 7284:25;7356:9 modeled (1) 7391:10 modeling (5) 7275:17,21; 7284:17,22;7285:17 models (3) 7285:18,18;	7427:1 Modesto (3) 7270:8;7303:20; 7321:18 modifications (1) 7405:10 modify (2) 7311:15;7325:6 modifying (1) 7432:19 moment (6) 7227:2,8;7269:7; 7302:12;7393:12; 7432:4 Monday (6) 7227:9,24;7230:7; 7382:10,10;7437:20 money (14) 7309:1;7316:21; 7328:13;7330:12,14, 16;7332:3;7350:16, 18;7379:21; 7380:16;7381:4,6,7 monies (2) 7286:17;7306:5 month (25) 7235:18;7240:8,9; 7254:9;7255:11,13, 20;7257:14; 7263:25;7264:1,2; 7281:4,6;7315:7,7; 7316:11;7326:6,25; 7327:1,1,7,11,11,11; 7331:3 monthly (3) 7235:7;7323:6; 7326:3 months (9) 7234:15;7259:22; 7263:9,23;7274:20; 7275:16;7284:19; 7316:13;7382:19 Montpelier (1) 7224:6 more (58) 7227:5,6;7228:20; 7229:1;7232:10; 7236:19;7240:14; 7250:12;7260:11; 7268:15;7269:17; 7274:12;7289:1; 7291:8;7306:21; 7308:11;7309:11; 7310:13;7323:15; 7324:8;7326:15; 7328:25;7329:2; 7342:14;7345:2,22; 7349:13;7350:16,18; 7355:1,9,17; 7361:10,10;7366:4, 5,23;7370:15,18; 7371:16;7372:15; 7379:13;7383:18;	7385:7;7388:9; 7396:22;7405:19; 7409:22;7419:14,19; 7421:18;7426:1; 7427:24;7432:13; 7436:14,15;7437:15; 7438:15 MORNING (40) 7221:1,3,18,21,24; 7222:3,5,11,16,20, 24;7223:1,8,12,13, 19,22,24;7224:1,3,5, 13;7225:7;7226:6; 7227:24;7230:11,13; 7268:4,5;7269:11; 7270:1;7272:7,8; 7286:6,7;7287:22; 7301:9;7334:4; 7432:14;7444:2 most (13) 7231:11;7244:23; 7256:8;7258:24; 7317:25;7352:3,21; 7361:11;7369:11; 7388:6;7393:7,21; 7407:22 mostly (1) 7325:23 mostly's (1) 7235:16 mother (2) 7234:7;7257:10 motivation (2) 7228:8;7373:23 motivations (1) 7369:18 move (23) 7229:23;7250:2; 7266:16;7269:3,19; 7280:4;7282:11; 7294:25;7298:13,25; 7311:18;7331:20; 7347:23;7352:25; 7379:24;7380:1; 7381:14,14;7407:20; 7411:14;7431:17; 7432:25;7438:21 moved (2) 7262:8;7365:1 mover (1) 7251:16 moves (5) 7320:7;7352:4,5, 25;7380:20 moving (4) 7257:13;7302:1; 7347:15;7408:8 Mssrs (1) 7391:3 much (25) 7226:13;7236:18; 7270:17;7285:5; 7296:6,9;7318:22;	7323:19;7327:2; 7335:16;7347:20; 7349:22;7350:10; 7351:1;7355:24; 7356:2;7359:17; 7366:17;7385:6; 7388:15;7389:6; 7414:11;7415:10; 7431:24;7434:5 multiple (2) 7234:5;7293:3 multiplied (1) 7293:23 multiply (6) 7291:18,21; 7292:17;7293:8; 7416:18;7417:18 multiplying (1) 7292:5 multitude (1) 7406:25 must (13) 7345:14,21; 7361:24;7362:11,16; 7366:8,10;7369:24; 7370:1,2;7376:21; 7378:2;7380:19 myself (2) 7253:3;7334:10 N name (22) 7221:6;7224:13, 14;7229:13; 7232:10;7300:18; 7301:14;7303:16; 7312:16;7335:7; 7336:13;7337:21; 7360:10,11,22; 7384:3;7390:2,3,4, 16;7396:11,12 Nancy (6) 7234:8;7236:5; 7237:15;7246:3; 7257:3,11 NASS (4) 7237:19,23; 7238:5,21 NASS's (1) 7241:15 nation (1) 7369:12 national (10) 7239:9;7292:4; 7309:7;7363:23; 7365:5,11,17; 7371:11;7393:8,12 nationally (5) 7341:2;7364:24; 7367:11,12,17 natural (1) 7326:18	nature (1) 7285:8 NDPSR (12) 7233:20;7234:21, 22,25;7235:8,8; 7236:13;7239:9; 7241:14;7292:4; 7295:8,20 near (7) 7226:23,23; 7317:3;7372:8,25; 7375:21;7415:10 nearly (3) 7301:19;7371:24; 7395:21 necessarily (1) 7443:13 necessary (7) 7258:1;7310:18, 25;7398:15; 7399:24;7401:22; 7442:20 need (51) 7225:10;7228:17; 7230:22,23;7231:6, 12,12;7256:7; 7268:13,20;7269:24; 7270:2;7271:15; 7273:13;7274:1,1; 7315:13;7317:10; 7321:4;7347:18,20; 7348:1;7350:22; 7358:23,25;7360:2, 4;7366:20,25; 7372:5;7382:21; 7391:8;7392:2; 7399:13;7400:9; 7401:9,18;7403:22; 7404:18,20;7410:16; 7422:5;7423:19; 7426:14;7427:18,20; 7428:4;7429:9,11; 7436:15;7437:24 needed (6) 7247:5;7268:3; 7352:25;7402:9; 7409:2,6 needing (1) 7276:1 needs (13) 7270:3,5;7271:13, 17,19;7300:13; 7304:6;7349:10,11; 7374:8,11;7382:21; 7417:20 needy (1) 7396:20 Negative (20) 7278:4,8,11; 7282:3,5,7;7283:5; 7291:17;7343:13,21, 21,22,23,24,24; 7344:19;7345:11,13;
---	---	---	--	--

<p>7354:20;7361:15 negatively (1) 7384:12 negotiate (1) 7350:4 negotiated (1) 7364:6 negotiating (1) 7364:5 negotiation (1) 7350:18 negotiations (2) 7306:2,6 neither (2) 7238:21;7391:18 nets (1) 7317:25 netting (1) 7281:11 network (1) 7229:19 nevertheless (6) 7351:19;7397:17, 21,22;7400:4; 7404:17 new (32) 7261:9;7273:20; 7283:9;7299:2; 7313:13;7334:20; 7338:1,22;7339:17, 18;7360:23; 7362:25;7364:10; 7365:10;7369:16; 7386:5;7387:18,19; 7388:16;7396:6,8,9; 7398:8;7402:11; 7403:23,25;7413:1; 7418:24;7426:19,23, 23;7429:17 newly (1) 7267:5 news (9) 7227:17;7235:15; 7241:17;7260:20; 7355:4,5;7382:8,17, 20 next (26) 7226:18;7228:9; 7230:3;7234:8; 7255:24;7264:10; 7270:11;7273:7; 7283:8;7293:13; 7300:2;7318:4; 7323:20;7338:17; 7351:3;7356:4; 7359:18;7373:20; 7378:25;7383:21; 7389:9;7406:4,7; 7428:11;7436:10; 7437:20 nice (3) 7296:7;7388:17; 7432:22</p>	<p>Nicole (5) 7223:15;7228:10; 7301:5;7329:9; 7349:3 night (1) 7229:16 nine (1) 7230:3 nobody (2) 7347:10;7442:8 Noise (2) 7252:9,14 noisy (1) 7252:24 non-admissibility (1) 7435:9 none (13) 7230:15;7231:19; 7266:22;7267:10; 7298:19;7299:9,15; 7311:23;7333:3; 7348:17;7381:19; 7383:16;7412:8 nonetheless (1) 7439:24 non-exempt (2) 7332:22;7421:14 nonfat (25) 7234:24;7236:16; 7237:21,22,24; 7238:12;7239:10,15; 7279:9;7291:14,19, 20;7304:1;7308:10; 7326:22;7396:25; 7397:1,2;7404:2,19; 7405:4;7414:25; 7415:8;7425:21; 7429:23 nonprofit (1) 7368:6 non-quota (2) 7397:3,4 Nope (1) 7313:11 nor (1) 7238:21 normal (2) 7315:19,19 normally (6) 7260:10;7264:8; 7316:20;7388:1; 7418:3;7439:6 North (3) 7352:5,16; 7360:23 Northern (7) 7252:6;7264:10, 11,21;7265:3; 7303:24;7305:24 notable (1) 7393:21 notation (1) 7261:21</p>	<p>note (11) 7223:5;7307:21; 7325:5;7400:7,24, 25;7401:16,17; 7402:2;7425:7; 7442:17 noted (10) 7246:25;7247:25; 7254:6;7256:11; 7274:9,10;7294:12; 7327:6;7365:22; 7402:7 noteworthy (1) 7393:7 notice (11) 7224:25;7390:18; 7408:22;7435:22,24; 7440:4,5,10;7441:5; 7443:11,14 noticed (2) 7287:25;7440:6 No-till (1) 7339:9 Notwithstanding (2) 7361:14;7362:1 NOVEMBER (5) 7221:1,2;7334:1; 7392:12;7395:24 nuance (4) 7244:11;7249:5; 7259:21,22 Number (64) 7222:13,19,23; 7226:12;7230:9,9; 7232:6;7237:12; 7244:22;7254:8; 7260:7;7261:5; 7266:24;7267:12; 7273:11;7275:1,5,6, 7,10;7279:10; 7280:16;7283:10,15; 7284:7,8,11; 7289:23;7290:16; 7291:2;7294:23; 7297:14;7298:21; 7299:11;7300:2,7; 7301:24,25;7311:24; 7315:6;7316:1; 7327:3;7334:18; 7337:1;7348:18; 7359:23;7365:25; 7367:10,25;7376:13; 7378:23;7379:8; 7381:14,15,21; 7389:18;7393:9; 7404:12;7412:10; 7431:23;7434:15; 7436:10,16,21 numbered (2) 7283:8;7410:12 numbers (22) 7232:3;7233:20; 7243:1;7248:23;</p>	<p>7259:20;7260:22; 7264:1;7273:13; 7276:14;7277:22,23, 25;7278:21; 7283:12;7292:12,13; 7295:8,16;7296:7; 7298:5;7314:18; 7376:2 nutrient (3) 7357:11,19; 7369:2 nutrients (1) 7353:19 nutshell (1) 7267:21</p>	<p>7244:1,2;7248:18; 7253:14;7255:14; 7263:7;7295:15; 7388:14 odd (1) 7364:18 off (15) 7232:24;7241:6; 7265:12;7290:10; 7292:3;7299:5; 7322:19;7357:8; 7382:6,9;7396:13; 7403:15;7406:13; 7429:19;7444:1 offer (6) 7228:10;7269:1; 7301:22;7304:14; 7334:15;7429:1 offered (2) 7369:3;7435:4 offers (1) 7305:24 Office (5) 7222:3,8;7223:3; 7346:13;7372:11 officer (1) 7392:18 offices (1) 7303:19 official (11) 7225:18;7371:10; 7435:22,24;7438:25; 7440:3,5,9;7443:11, 14,24 officially (2) 7432:25;7440:6 officials (1) 7340:8 offset (1) 7374:19 often (3) 7245:7;7436:15; 7439:23 Ohio (2) 7392:12,16 Ohio-based (1) 7363:15 O'Lakes (10) 7222:15,21; 7365:6;7434:18,19, 21;7437:9;7438:2; 7443:2,4 Old (2) 7360:23;7426:22 Oliver (2) 7222:16,16 omits (1) 7258:20 omitted (2) 7257:6;7294:14 once (4) 7235:19;7241:5; 7245:20;7263:20</p>
O				
			<p>o0o- (2) 7333:21;7444:4 object (7) 7311:21;7381:18; 7407:17;7412:6; 7435:3,20;7440:24 objecting (1) 7435:20 objection (10) 7266:20;7267:3; 7298:17,18;7299:8; 7333:9;7348:16; 7407:8,9;7412:4 objections (4) 7266:21;7267:9; 7311:22;7381:18; 7412:7;7435:9 objective (6) 7340:7;7368:18; 7369:15;7373:25; 7422:4;7427:7 objectives (2) 7361:12;7428:7 obligation (4) 7420:18,19; 7422:13,21 obligations (1) 7425:18 observed (2) 7354:15;7364:21 obvious (3) 7239:8;7417:22; 7418:12 obviously (10) 7227:9;7260:2; 7268:5;7290:9; 7313:17,24;7315:21; 7321:21;7326:17; 7434:8 occur (4) 7275:18;7411:2; 7427:13,13 occurred (1) 7308:20 October (8)</p>	

<p>one (100) 7223:6;7227:5; 7229:1;7230:6; 7231:14;7232:10; 7235:23;7240:4; 7242:9;7244:11; 7246:21,21;7247:24; 7254:14;7255:22; 7256:23;7257:20; 7260:5;7266:20; 7267:7,9,25;7268:1; 7273:14;7279:5; 7282:18;7285:2; 7287:25,25;7289:1; 7294:2,11;7295:16; 7298:17;7300:15; 7306:20;7309:7,13; 7311:21;7312:20; 7319:7;7321:4,18; 7322:11;7323:16; 7327:10;7330:17; 7332:10;7334:9; 7338:9,17;7340:4, 24;7343:7;7347:6; 7348:2,15;7352:15; 7356:15;7360:1; 7362:20;7366:13; 7369:11;7376:12,12; 7377:8;7381:18; 7382:4;7383:2; 7385:8,25;7387:3; 7389:13;7392:8; 7396:15,22;7407:8, 18;7408:11;7410:14, 16;7411:20,21; 7412:6;7413:12; 7418:14;7426:24; 7434:7;7436:4,6,8, 18,23,24,25; 7437:24,25;7440:11, 21;7443:10</p> <p>one-page (1) 7273:8</p> <p>ones (4) 7225:24;7247:25; 7289:16;7356:21</p> <p>one-third (1) 7366:6</p> <p>ongoing (2) 7362:25;7364:8</p> <p>online (1) 7225:16</p> <p>only (27) 7224:19;7227:16; 7230:20;7235:12; 7249:5,5;7255:23; 7269:8;7271:8; 7274:17;7275:23,24; 7277:5;7279:5; 7285:2;7299:14; 7321:4;7332:14; 7347:5;7358:13; 7366:1;7367:18;</p>	<p>7386:2;7387:17; 7390:19;7402:8; 7437:24</p> <p>onto (1) 7234:8</p> <p>open (3) 7325:8;7340:22; 7431:16</p> <p>opening (3) 7230:20;7231:1; 7396:7</p> <p>operate (5) 7330:4;7337:22; 7340:5;7364:10; 7429:15</p> <p>operated (5) 7302:4,17,25; 7303:2,12</p> <p>operates (3) 7303:10;7393:10; 7421:5</p> <p>Operating (1) 7367:4</p> <p>operation (13) 7314:25;7318:16; 7331:24;7332:4; 7338:5,11,15,16; 7340:4;7342:22; 7369:7;7414:7; 7421:11</p> <p>operations (6) 7301:19;7304:21; 7318:1;7365:7; 7420:15;7421:6</p> <p>opinion (5) 7342:15;7390:24; 7398:7;7400:6; 7425:14</p> <p>opponent (1) 7440:16</p> <p>opponents (1) 7221:13</p> <p>opportunities (5) 7306:17;7307:20; 7317:6,8,9</p> <p>opportunity (12) 7231:1;7270:20; 7306:23;7328:10; 7334:24;7337:20; 7367:5,7;7388:5; 7432:4;7441:14; 7442:8</p> <p>oppose (2) 7311:5;7361:24</p> <p>opposed (1) 7285:15</p> <p>Option (3) 7307:2;7332:16, 16</p> <p>options (1) 7228:5</p> <p>oranges (3) 7245:4;7254:6,18</p>	<p>Order (239) 7221:23;7222:2,2, 6;7228:23;7229:12; 7233:7;7236:10,11, 25;7237:19;7238:8, 11,22;7239:13,14; 7240:2;7242:4; 7243:23;7244:7,15, 16,17,18,21; 7245:18;7246:4,10; 7247:9,10;7248:17, 20;7249:3,5,12,20, 23;7253:6,11,13,25; 7254:9,17,19,24; 7255:14,16,18,20; 7257:15;7258:19; 7260:2;7263:6,13, 16,19,21;7264:14, 18,19;7265:19,20, 23,25;7266:7,9; 7270:15;7272:21; 7273:18;7275:22; 7276:16,23;7277:4, 10,16;7281:4; 7291:14;7293:17; 7311:4,14;7317:10; 7321:3;7324:9; 7327:23;7342:22,25; 7343:4,22,23; 7344:4;7345:11,15, 20,23;7346:7,24,25; 7347:5,6,7,18,21; 7349:17;7350:3,5, 19;7352:4;7358:23; 7360:3;7361:9,10, 24;7362:4,5,6,7,21, 25;7363:3,7;7364:7, 12;7365:10;7372:7, 24;7374:7,18; 7376:10,10,11,11,13, 23,25;7377:2,4,4,15, 22;7378:6,10; 7384:9,11;7386:2,5, 9,9,16,25;7387:1; 7388:6,10,20; 7390:20,25;7391:1, 6,10,10,12,20,20,25; 7392:1,3;7393:3,15, 22,25;7394:17,25; 7395:19,21;7396:24; 7397:10,24;7398:7, 13;7399:19;7400:4, 7,11,25;7401:17,20, 22;7402:3,8,11,13, 16;7403:22; 7405:22;7406:21,23, 24;7407:5,8,10; 7409:7;7410:3,17, 22;7413:5,9,21,23; 7414:2,4;7415:15, 20;7416:10,12; 7417:24;7418:15; 7420:6,7;7422:5,6,</p>	<p>12,13,21;7423:3,11; 7424:5;7426:15,23; 7429:5,6,8,15,18; 7434:20;7436:5; 7437:8;7438:13; 7440:20,23;7442:7</p> <p>orderly (2) 7343:6;7361:10</p> <p>Orders (24) 7253:23;7311:13; 7324:2;7340:12; 7355:2;7374:3; 7375:25;7376:4; 7377:24;7386:23; 7393:7,14;7394:19; 7395:23;7407:12,14, 18,19;7409:19,20, 20;7414:2;7438:11, 12</p> <p>Order's (1) 7378:2</p> <p>Order-wise (1) 7386:8</p> <p>ordinary (2) 7443:7,8</p> <p>Oregon (2) 7302:8;7414:8</p> <p>organic (4) 7321:24,25; 7322:4,6</p> <p>organically (1) 7322:3</p> <p>organization (5) 7340:2,23; 7342:16;7368:7; 7380:15</p> <p>organized (1) 7432:13</p> <p>orient (3) 7233:1,20;7234:9</p> <p>original (3) 7263:24,25; 7362:14</p> <p>originally (1) 7303:13</p> <p>O-S-I (2) 7224:15;7390:4</p> <p>others (7) 7226:1,18;7253:4, 4;7316:5;7378:1; 7391:7</p> <p>otherwise (6) 7227:1;7235:6; 7287:12;7334:6; 7417:3;7430:13</p> <p>Otis (83) 7223:13,13; 7228:12;7268:8,22; 7269:24;7270:6; 7271:4;7300:1,6,9, 10,14,20,25,25; 7301:10,14;7302:16; 7303:6;7306:22;</p>	<p>7308:3,7;7309:19, 21,23;7310:10; 7311:20;7312:2,5,9, 18;7313:7,11,16; 7317:11,17,24; 7318:5,12,18,20; 7319:1,6,9,11,13,15, 18,22;7320:4,12,16, 20,22;7321:1,11,13, 17,25;7322:3,7; 7323:20;7324:5,10, 12,19,23;7325:11, 19;7326:4,7;7328:1, 7,12,19;7329:5; 7330:19;7331:8,19; 7333:2,5;7391:4</p> <p>Otis' (1) 7313:1</p> <p>O-T-I-S (1) 7223:14</p> <p>ought (2) 7359:8;7440:1</p> <p>ourselves (1) 7332:22</p> <p>out (75) 7227:13;7228:6, 17;7230:3;7234:3; 7235:10,24;7237:4; 7239:3;7244:11; 7249:5;7255:22; 7258:14,18,23; 7268:18;7269:23; 7270:12;7271:7,16; 7273:10;7275:3; 7281:1,11;7283:9; 7287:24;7288:2; 7292:13;7294:10; 7296:19;7303:8; 7313:12;7316:1,13, 15;7317:25; 7321:20;7323:11; 7327:2;7333:5; 7335:6;7336:17; 7346:5;7347:20; 7348:10;7350:21; 7352:21;7353:19,20; 7354:12;7365:7; 7366:25;7375:11; 7379:10;7381:6,7; 7384:23;7386:9,9; 7387:1;7388:14; 7401:3;7409:9,24; 7417:1;7422:25; 7428:6;7429:7; 7430:9;7431:2; 7434:12;7441:12,14, 20;7442:14</p> <p>outcome (2) 7343:10;7405:19</p> <p>outcomes (5) 7233:4;7234:20; 7237:18;7249:3; 7362:20</p>
---	---	--	--	---

<p>outlined (2) 7295:22;7311:16 out-of-state (3) 7271:2;7286:25; 7287:1 outset (1) 7339:20 outside (4) 7240:11;7272:24; 7274:8;7362:9 over (58) 7226:7,18;7235:9; 7236:25;7239:25; 7241:7;7255:9,15; 7257:13;7259:2; 7277:4,19;7281:4; 7287:9;7293:1,9; 7299:18;7302:7; 7305:21;7306:14; 7312:2,7;7320:18, 19;7326:8,10; 7327:2,3;7344:12; 7346:21;7350:3,4, 19;7357:13,22; 7364:7;7370:1,19; 7371:17,18,20; 7372:5;7375:11,21; 7376:19;7377:25; 7378:3,16;7380:20; 7393:3;7402:14; 7405:14;7414:22,24; 7416:18;7418:7,21; 7427:19 overall (5) 7316:23;7329:16; 7344:10;7354:24; 7375:8 overcome (2) 7362:13;7377:10 overhead (1) 7252:24 overlap (1) 7414:6 overnight (2) 7269:15;7431:22 overruled (2) 7435:10;7439:22 oversaw (1) 7363:25 oversees (2) 7338:15,16 oversight (1) 7303:15 overturn (1) 7438:6 overview (1) 7232:25 owe (2) 7269:22;7335:10 owed (1) 7316:21 Owenton (3) 7360:24;7364:10,</p>	<p>17 own (18) 7232:6;7274:6; 7304:5,17;7307:24; 7319:24;7320:21; 7322:6;7323:1; 7328:7;7337:21; 7345:12;7353:13,15; 7356:20;7387:24; 7391:20;7406:21 owned (4) 7302:14,24; 7338:11;7425:10 owner (6) 7302:4,17,24,25; 7303:2;7332:9 owners (3) 7328:8,9;7332:10 ownership (4) 7305:19;7317:12, 16;7421:22 owns (1) 7303:14 P packaged (2) 7341:16;7366:9 packages (1) 7356:20 packet (3) 7232:23;7250:3,7 Page (121) 7232:23;7234:6,7, 8,13;7236:4; 7237:10,16,22,23; 7238:1,2,6,9,17,20; 7239:1;7241:19,19; 7242:14;7243:1,7, 12;7245:13;7246:6, 8,9,15;7248:22; 7249:1,16;7250:7; 7252:20,21;7253:2, 10,18,18,21;7255:8; 7256:13,23;7257:5, 25;7258:17;7259:18, 19,20;7260:1; 7261:5,7,10,17,18, 20,25;7262:17,25; 7263:4,18,18; 7265:16;7266:2,3; 7267:9,9;7274:2; 7277:19,24;7278:22, 25,25;7279:12,18; 7280:5,18;7281:13; 7282:13,16,18,22, 23;7283:3;7284:1,6; 7294:13;7296:21; 7297:7;7302:14,23; 7308:6;7310:3; 7313:1;7314:18; 7317:2;7318:22; 7322:8;7348:4,4;</p>	<p>7374:14;7378:13,16, 16;7379:1,8;7384:5; 7394:13;7398:22; 7399:18;7403:15,20; 7404:7;7405:13; 7408:10,21;7409:14, 15;7414:23,24; 7420:3;7424:14 pages (20) 7234:5,14;7236:7, 20;7242:22,23,23; 7250:9;7253:7; 7258:9;7259:17,23; 7262:16,18;7272:10; 7276:13;7408:15,16; 7438:24,25 paid (17) 7254:23;7255:18; 7314:8;7315:18; 7323:7,10,11; 7327:15;7329:13,21; 7339:7;7370:6,23; 7375:12;7422:24; 7424:4,7 pain (1) 7418:20 Palmer (1) 7434:6 panel (2) 7300:11;7318:4 paper (6) 7250:3;7267:6; 7312:23;7330:12,14; 7331:20 paragraph (30) 7302:13,23; 7313:2;7317:3; 7348:7;7371:5,13; 7372:23;7378:16,25; 7395:5;7398:23; 7399:9,12,18; 7403:16,17;7404:7, 11,23;7405:1,2,13, 15;7415:3,24; 7416:21;7420:6; 7425:15;7426:3 paragraphs (8) 7397:9,10;7398:8; 7408:22,23;7415:25; 7427:24;7428:2 Pardon (1) 7433:10 parens (1) 7297:14 parlor (1) 7338:22 part (41) 7221:17;7226:14; 7229:13;7232:5; 7235:10;7240:11,14, 15;7261:6;7267:5; 7274:10;7293:5,18; 7294:13;7310:21;</p>	<p>7325:7;7334:15; 7343:16;7348:8; 7352:21;7357:9; 7363:6;7364:15; 7378:9;7397:12; 7401:2,4,21;7403:7; 7404:20;7405:6,6; 7407:22;7409:7; 7412:21;7414:3; 7415:7;7417:3; 7424:13,25;7437:23 participant (1) 7306:2 participants (4) 7221:10,13; 7312:3;7370:7 participate (2) 7370:3;7380:11 participated (6) 7301:20;7306:19, 25;7393:5,13; 7429:19 participates (1) 7440:22 participating (2) 7334:6;7369:24 participation (5) 7306:4;7394:21; 7395:15;7422:9; 7425:25 particular (10) 7241:8;7289:13; 7304:24;7306:16,22; 7359:4;7416:13; 7421:9,20;7425:10 particularly (5) 7234:4;7359:1; 7361:21;7374:20; 7387:25 parties (13) 7226:21;7312:3; 7349:22;7412:2; 7435:19;7440:14,15, 17;7441:10,15; 7442:22,22;7443:9 parts (5) 7230:9,10; 7231:11;7409:8; 7431:4 part-time (1) 7338:12 party (5) 7226:20,21; 7312:10;7434:24; 7440:16 Pasadena (1) 7361:2 passing (1) 7273:9 passthrough (1) 7331:18 past (5) 7225:21;7248:15;</p>	<p>7350:3;7359:9; 7426:19 Paul (4) 7237:4;7246:4; 7278:18;7283:6 pause (2) 7337:3;7431:15 pay (32) 7286:16;7304:24; 7305:1,3,6,7,10; 7308:22,23;7314:2, 11;7315:16,22; 7316:18,18,23; 7317:1;7320:18,21; 7327:4,17;7328:24; 7330:2;7332:15,21; 7340:4;7342:1; 7346:18;7350:24; 7384:12;7421:13; 7423:13 payable (1) 7422:20 paying (6) 7293:16,19,20; 7325:9;7332:24; 7339:17 payment (7) 7294:1;7315:25; 7316:25;7331:17; 7335:6;7424:7; 7425:18 payments (15) 7326:6;7343:15; 7369:24;7375:12; 7379:10,15,20; 7402:4;7404:16,16; 7422:17,18,18; 7425:2,4 payroll (3) 7401:25;7409:18; 7422:20 pays (5) 7304:22;7305:3, 11,13;7331:24 PC (1) 7257:20 PD (3) 7317:10;7331:2; 7332:1 PD's (1) 7317:20 penalty (4) 7300:22;7336:9; 7360:6;7389:23 pennies (1) 7346:12 Pennsylvania (1) 7302:2 penny (2) 7239:15;7245:7 people (25) 7223:6;7225:8; 7226:12;7231:16;</p>
--	---	--	---	---

7240:25;7243:2; 7244:23,25;7260:14; 7269:15;7283:19; 7358:17;7365:23,25; 7368:4;7388:19; 7396:5;7413:6; 7420:21;7431:21; 7433:9;7439:7; 7442:3,7;7443:12 per (40) 7246:11;7247:7, 12;7256:9;7257:8; 7263:10,11,12,14; 7265:5,6;7273:24; 7276:15;7277:18; 7291:23;7292:6,7, 18,20;7293:9,24; 7309:16,21;7310:6; 7319:16,17;7326:22; 7340:4;7344:4; 7367:18,19;7371:20; 7372:8,8,9,13; 7373:2,14;7378:24; 7429:22 percent (33) 7243:23,23; 7244:18,18;7304:2, 4,6,8,9,9,10,11,12, 13;7315:4,10; 7317:16;7319:24,25; 7320:1,6,10,17; 7323:12;7327:3; 7331:10;7342:10; 7380:9,15,16,22,23; 7384:15 percentage (3) 7316:24;7351:20; 7369:25 perfectly (1) 7412:1 performance (4) 7321:1;7437:7,9; 7440:19 performing (1) 7364:20 perhaps (5) 7297:11;7325:8; 7334:9;7348:2; 7429:11 period (18) 7233:2,3,6; 7235:24;7244:3; 7255:9;7264:3; 7286:24;7287:8; 7326:8,10;7327:2; 7364:25;7371:17; 7372:19;7373:17; 7385:7;7395:22 periods (4) 7235:17;7248:21; 7287:4,9 perjury (4) 7300:23;7336:10;	7360:7;7389:24 permanent (5) 7233:9;7244:8,11; 7246:13;7253:15 permit (1) 7230:19 permitted (2) 7299:14;7438:11 person (2) 7337:3;7437:25 personal (1) 7334:17 personally (1) 7328:25 perspective (3) 7343:17;7380:2; 7387:19 pertain (1) 7441:15 petitioned (1) 7342:22 PhD (1) 7299:3 phenomenal (1) 7269:21 Philadelphia (1) 7302:2 phrase (5) 7371:5;7405:25; 7414:21;7415:19; 7416:13 physical (1) 7323:14 Piccadilly (1) 7252:25 pick (5) 7234:7;7248:16; 7252:21;7371:14; 7376:16 picked (1) 7259:23 picks (1) 7236:4 piece (6) 7235:12;7240:6; 7242:11;7253:10; 7258:19;7263:22 pieces (5) 7230:4,8;7253:12; 7269:14;7293:3 piling (1) 7297:5 pinpoint (1) 7430:25 pinpointing (1) 7256:21 pizza (4) 7269:2;7271:5; 7335:5,6 pizzas (2) 7228:15;7270:15 place (7) 7255:23;7324:3;	7345:21;7358:17,18; 7398:18;7426:14 placed (1) 7232:3 places (1) 7421:8 placing (1) 7388:25 plainly (1) 7439:20 plan (4) 7230:2;7336:5; 7353:18;7357:12 plane (1) 7382:7 plans (1) 7357:19 plant (31) 7255:6;7258:21; 7287:6;7303:11; 7304:4,14,20,22,24, 24;7305:3,5; 7308:25;7310:14; 7314:25;7316:23; 7317:19;7331:15; 7332:18;7364:13,17, 17,18,19,25; 7398:15;7420:10; 7421:6,9,12,21 plants (9) 7287:13;7321:14; 7349:13;7350:2,21, 22,24;7352:2;7353:6 plant-wise (1) 7322:4 played (1) 7310:21 playing (3) 7308:22;7309:9; 7347:20 plays (1) 7332:17 Please (42) 7231:25;7232:22; 7242:15;7245:15; 7250:11;7252:23; 7253:19;7258:14; 7260:24;7261:17; 7263:3,18;7265:16; 7273:9;7275:13,14; 7278:16;7279:21; 7280:10;7290:4; 7300:5,21;7302:20; 7306:21;7310:9; 7326:20;7333:19; 7336:8;7337:5,19; 7360:5,9;7367:14; 7373:22;7389:22; 7390:1;7402:2,16; 7403:10;7405:12; 7408:15;7442:22 pleasure (2) 7428:17,19	ploy (1) 7350:12 plural (1) 7398:25 plus (9) 7247:11;7276:13; 7295:13;7315:20; 7332:14,15,15; 7433:16,16 plus/minus (1) 7423:19 pm (1) 7268:1 pocket (1) 7335:8 podium (4) 7224:23;7225:13; 7334:4;7431:13 point (41) 7226:23;7229:24; 7230:4;7233:9; 7234:3;7235:24; 7244:11;7249:5; 7255:22;7258:14,18; 7268:20;7269:24; 7274:1;7277:7; 7280:25;7288:24; 7292:13;7294:10; 7296:8;7311:18; 7312:6;7342:21; 7379:19;7384:24; 7386:8,9,15; 7387:11;7394:2; 7403:6;7416:12; 7417:10,10;7419:22; 7430:14;7431:5; 7433:12;7442:11,20; 7443:1 pointed (2) 7237:4;7239:3 Pointing (1) 7266:5 points (3) 7231:14;7347:20; 7427:11 policy (2) 7285:15;7393:17 pollution (1) 7353:22 Ponderosa (7) 7223:16,21; 7224:16;7228:24; 7229:3;7349:5; 7431:17 Ponderosa's (1) 7432:25 pool (30) 7264:23,24; 7265:1;7273:23; 7274:8;7304:25; 7305:2,8,9;7315:16, 22,24,25;7316:11, 17,18,19,21;7317:1;	7326:6;7332:24; 7391:17;7420:6,17, 18,19,19;7422:25; 7425:1;7438:12 pooled (2) 7344:3;7364:12 pooling (8) 7272:21;7306:3,7, 10;7308:9;7325:21; 7374:1;7434:19 P-O-O-L-I-N-G (1) 7434:19 population (2) 7341:13;7365:23 portion (18) 7240:1;7241:3,4; 7242:12;7243:6; 7293:2,14;7315:18; 7395:10;7399:10,14; 7400:10;7401:19; 7416:19;7417:19,21; 7418:6;7419:2 portions (5) 7393:17;7408:19, 19;7409:24;7410:2 position (7) 7225:4;7330:22; 7336:7;7360:1; 7389:21;7437:9; 7441:16 positions (1) 7442:8 positive (2) 7325:23;7355:17 possibility (1) 7343:10 possible (13) 7268:19;7308:21; 7331:21;7345:23; 7346:5;7356:15; 7361:13;7366:17,23; 7388:2;7396:18; 7423:7;7426:25 posted (3) 7439:7,10,16 post-Federal (1) 7434:20 potential (8) 7324:14;7343:13; 7344:19;7345:10; 7361:15;7369:17; 7376:22;7420:5 potentially (2) 7423:2,16 pound (15) 7235:4;7241:10, 14;7247:7,12; 7257:8;7263:10,11; 7265:5,6;7292:6; 7293:24;7326:22; 7372:8;7429:23 pounds (71) 7245:10;7247:11,
---	---	---	---	---

<p>11;7273:22; 7292:17;7293:20; 7308:10;7314:3,3,4, 19,21,21,24,24; 7315:2,9,10,14,16, 20,21,21,22;7316:1, 11,16,18;7319:20; 7341:1;7342:6,8,10; 7344:1,11;7346:20; 7347:3;7354:23; 7355:9,15;7356:22; 7365:25;7366:2,2,4; 7367:12,16;7370:8, 11,15,19;7371:18, 21;7372:4;7375:9; 7378:22;7404:1,1, 19;7405:4;7414:25; 7415:8;7416:19,21, 21;7417:19;7418:1, 2,2,3;7425:9</p> <p>pouring (1) 7332:3</p> <p>powder (6) 7250:15;7302:4,7; 7304:1;7321:19,23</p> <p>pow-wow (1) 7432:4</p> <p>practice (2) 7292:22;7354:4</p> <p>practices (3) 7357:2,12;7368:1</p> <p>pre-1995 (1) 7322:18</p> <p>precedent (1) 7441:3</p> <p>preceding (1) 7348:7</p> <p>precise (3) 7418:13;7419:14, 19</p> <p>Precisely (2) 7328:19;7437:16</p> <p>predicament (1) 7270:13</p> <p>predict (1) 7384:10</p> <p>predominantly (1) 7233:20</p> <p>preface (1) 7361:8</p> <p>prefer (2) 7277:23;7432:3</p> <p>preferably (1) 7228:9</p> <p>preferred (1) 7278:12</p> <p>preliminary (10) 7224:24;7226:10; 7230:14;7231:19; 7361:16;7362:13,22; 7374:17;7377:11; 7384:19</p> <p>premise (1)</p>	<p>7274:5</p> <p>premised (1) 7276:1</p> <p>premium (18) 7321:5;7350:1,24; 7369:24;7380:14; 7381:5;7396:25; 7414:20,21;7415:1, 6,18,19;7416:1,2,10, 11;7429:22</p> <p>premiums (12) 7274:14;7276:4; 7286:17;7320:18,21; 7332:15;7350:3,5, 19;7369:20;7370:5, 23</p> <p>prepare (6) 7289:19;7301:10; 7337:13;7360:18; 7390:11;7393:20</p> <p>prepared (8) 7229:23;7289:21; 7299:21;7301:13; 7326:3;7328:2; 7374:24;7433:13</p> <p>preposterous (1) 7438:17</p> <p>present (12) 7285:7,9;7300:23; 7302:14;7334:13; 7336:10;7343:16; 7360:7,19;7366:19; 7389:24;7441:13</p> <p>presentation (1) 7432:24</p> <p>presented (9) 7342:4;7346:13; 7348:8;7354:17; 7362:12;7366:20; 7374:25;7377:10; 7390:21</p> <p>presenting (1) 7360:21</p> <p>presently (2) 7227:4;7259:24</p> <p>preservation (3) 7310:24;7390:23; 7427:4</p> <p>preserve (4) 7311:8;7390:22; 7410:4;7442:7</p> <p>preserved (1) 7427:14</p> <p>preserves (1) 7305:17</p> <p>preserving (4) 7410:20,24,25; 7412:1</p> <p>President (7) 7301:14;7337:23; 7339:20;7342:16; 7343:18;7360:24; 7361:4</p>	<p>Presiding (1) 7436:9</p> <p>pressing (1) 7388:9</p> <p>pressure (1) 7366:25</p> <p>presumably (1) 7435:18</p> <p>pretty (7) 7226:12;7324:2; 7327:2;7353:4; 7367:19;7428:20; 7430:24</p> <p>prevent (1) 7413:8</p> <p>previous (1) 7434:16</p> <p>previously (1) 7234:23</p> <p>price (188) 7233:4,5,5,11,12, 15;7234:19,20; 7235:7,8,8,14,23; 7236:1,8,12,14,22; 7237:19,22,24,25; 7238:2,4,6,13,24; 7239:14;7240:5,8, 18;7241:2,5,13,16; 7242:19;7243:8,14, 16;7244:12;7245:17, 25;7246:1,12; 7247:3,7,12,13,14; 7248:2,10,11,19; 7249:24,24;7250:23, 25;7251:4,17,24; 7252:5;7254:1,4,4,9, 10,16,17,18,19,23; 7255:17,20,20; 7258:15,25;7259:21; 7263:5,10,11; 7264:5,6,7,11,14,23; 7265:4,5,6,23; 7266:6,7,8,9; 7272:19,21,22,23; 7273:24;7274:3,12, 14,17;7275:25; 7276:3,8,15,17,21, 23,24;7277:1,6,10, 16,17;7279:8; 7280:5;7281:4,5,5, 19;7282:14,15; 7283:3,15;7285:2,5, 14;7287:7;7288:7, 20;7291:6,7,11,17, 21,24;7292:1,4,5,9, 14,21;7293:1,8,11; 7294:8,11,20; 7295:1;7297:13; 7304:23;7305:13; 7308:19,22;7309:2, 2,4;7316:9,14,14; 7320:19;7323:8; 7325:10;7331:16,23;</p>	<p>7332:14;7346:19,24, 25;7347:2,19; 7350:1,1;7354:14, 14,20;7359:7; 7371:20;7374:19; 7386:5;7398:15,15; 7420:10,11;7421:13; 7423:13</p> <p>prices (128) 7233:6,7,8,15,19; 7234:23,25;7235:1, 4,20,21,22;7236:9, 10,25;7238:8,12; 7240:3,4,7;7241:4,6, 13;7242:3,10,12,20, 21,21;7243:4,5,14, 25;7244:4,5,8,9,15; 7246:5;7248:17,20; 7249:23;7250:13,21; 7253:13,15;7254:25; 7255:2,4;7257:15; 7263:6,8,9,19; 7264:21;7265:19,20; 7272:11,18;7273:2, 4,5,6,18,19;7274:11; 7276:16;7277:2,4,4, 5,5,5,13;7280:4,14, 23,24;7282:12,12, 21;7283:24;7286:17, 21;7288:1,2,2,4,6,8, 10;7292:2;7308:24; 7310:14;7315:23,23; 7316:10,15;7341:25; 7342:1,2,14; 7343:20;7344:25; 7345:2;7346:6; 7349:17,17,23; 7350:9;7354:24; 7355:17;7361:11,19; 7362:8;7363:4; 7364:6,7;7366:22, 23,24;7374:15,18, 24;7375:19;7377:5; 7378:7;7384:12</p> <p>pricing (28) 7237:11;7238:21, 22;7239:16;7241:1, 20,21;7242:2,8,14; 7246:18;7250:10,12; 7251:23;7261:4; 7263:21,21;7274:9; 7293:17;7304:14; 7309:14;7340:10,11; 7362:14;7364:3; 7365:16;7373:21; 7377:12</p> <p>primarily (1) 7245:25</p> <p>primary (2) 7369:18;7395:21</p> <p>principal (1) 7223:3</p> <p>principle (2)</p>	<p>7343:3;7351:10</p> <p>principles (1) 7329:23</p> <p>print (1) 7250:4</p> <p>printed (3) 7261:3;7267:5; 7283:22</p> <p>prior (15) 7240:8;7248:19, 21;7256:24; 7263:23;7297:14; 7301:17;7302:3,14, 16;7313:16; 7318:15;7343:12; 7348:3;7435:22</p> <p>private (1) 7322:1</p> <p>privilege (1) 7269:15</p> <p>probably (9) 7254:18;7256:13; 7257:2;7274:19; 7284:18;7328:5; 7370:12;7405:20; 7424:1</p> <p>problem (3) 7325:12;7346:16; 7357:21</p> <p>procedures (1) 7345:23</p> <p>proceed (14) 7232:9;7252:10; 7258:9;7271:22; 7290:21;7297:19; 7301:4;7303:4; 7312:12;7337:9,19; 7360:13,21;7390:5</p> <p>proceeding (8) 7226:13;7434:15; 7438:6;7441:21; 7442:6,22;7443:12, 16</p> <p>proceedings (11) 7334:19;7393:14; 7434:22;7435:8; 7437:15;7438:7,19; 7440:5,13,14; 7442:23</p> <p>process (10) 7238:7;7292:11; 7293:10;7321:16,19, 23;7345:18,21; 7356:19;7388:6</p> <p>processed (5) 7304:2;7314:21, 23,25;7315:2</p> <p>processes (1) 7340:12</p> <p>processing (17) 7303:19,21; 7305:21;7306:9; 7313:12,18,21;</p>
---	---	--	---	--

<p>7321:14,15,18,21, 22;7341:15; 7363:17;7364:25; 7365:2;7372:6 processor (3) 7364:23;7366:18; 7380:10 processor-handler (1) 7364:6 processors (7) 7304:24;7343:1; 7350:4;7356:18; 7366:11;7374:6; 7380:5 procurement (3) 7287:10;7380:10; 7381:2 produce (5) 7322:3;7349:7,11; 7367:11,16 produced (6) 7304:11;7352:3; 7353:9;7368:13; 7370:7;7372:4 Producer (58) 7223:16,20; 7224:16;7228:23; 7229:2;7301:6,24; 7307:24;7308:16; 7309:24;7310:11; 7311:2;7315:19; 7321:6;7332:16; 7342:1,13,16; 7343:14;7344:24; 7345:2;7346:3; 7347:2;7349:4; 7352:15;7361:11,19; 7362:7;7363:6; 7364:2;7366:22; 7368:19;7374:5,18; 7375:19;7377:5; 7378:9;7380:10,14, 19;7384:12;7386:3; 7390:17;7398:1,5; 7401:24;7405:8; 7409:17;7413:1; 7422:18;7423:18,25; 7424:5;7426:4; 7432:23;7433:5,6,6 producer-distributor (1) 7268:14 producer-funded (1) 7340:1 producer-handler (11) 7229:1;7301:19; 7307:12;7311:5,6, 12;7322:15;7324:1, 3,8,16 producer-handlers (12) 7301:22;7306:7, 17,23;7307:2; 7356:16,17,19; 7413:14;7416:8;</p>	<p>7420:14;7423:12 Producers (70) 7223:22,25; 7224:4,7,8,9;7225:7; 7226:5;7304:6,23, 25;7305:3,14; 7306:4;7307:6; 7308:23;7316:25; 7319:25;7320:18; 7332:22,25;7333:12; 7337:7,8,24,25; 7339:21;7340:1,3,4, 8,13,17,18,18,20,22; 7342:24;7343:1,7, 18;7345:5,5;7346:4; 7351:13,15;7352:14, 24;7353:3;7355:4; 7356:18,19;7361:5, 6,23;7363:6; 7366:10;7369:1,10; 7370:2,6,24;7378:8; 7379:2,5;7384:10; 7385:18;7386:25; 7402:4;7404:17 producer's (3) 7343:3;7380:5; 7425:2 produces (4) 7305:5;7340:25; 7344:1;7378:21 producing (3) 7340:24;7350:15, 17 product (3) 7274:12;7309:2; 7321:25 production (61) 7304:4,13,20; 7315:5;7319:16,17, 21;7322:6;7339:8,9; 7341:1,19;7342:5,9; 7344:10,21,22; 7347:4,4;7354:22; 7355:6,8,10,12,16, 18,24;7361:21; 7362:8,15;7366:1; 7367:13,17,18; 7368:1,19;7369:11, 13,25;7370:3,20; 7371:14,19;7374:4, 6,22;7375:9,12,16, 20,25;7376:1,17; 7377:6,12;7378:15, 22,24;7380:23; 7384:12;7385:8 productive (2) 7366:16;7367:9 productivity (2) 7339:11;7368:3 products (6) 7234:20;7303:16, 23;7304:3;7321:16, 24</p>	<p>professional (3) 7334:17;7364:15; 7365:17 profit (3) 7304:17;7326:2, 15 profitability (1) 7368:3 profitable (1) 7341:22 proofed (1) 7364:22 Program (29) 7222:6;7339:12; 7353:13;7368:14,14, 17;7369:9,10,13,14, 16;7370:4,7; 7371:17,23;7372:2, 13;7373:25; 7374:20;7375:13; 7380:6;7381:5; 7394:19,22;7395:16; 7396:21;7398:5; 7414:7;7426:4 Programs (20) 7221:20,23; 7222:2,9;7321:5,5; 7340:6;7367:25; 7368:12,25;7369:3, 12;7373:16,24,25; 7392:11,23;7393:1, 4,5 Program's (3) 7369:20;7370:4, 22 progress (1) 7431:24 progressing (1) 7234:15 project (1) 7273:1 projected (7) 7344:6,8,12,24; 7375:4,13,14 projections (1) 7355:8 promise (2) 7367:6;7418:22 promote (4) 7341:22;7343:6; 7367:22;7368:12 promoted (2) 7313:8;7363:20 promoting (1) 7305:24 promotion (1) 7340:6 prompt (1) 7358:21 prompted (1) 7362:22 proof (1) 7309:13</p>	<p>properly (2) 7358:24;7366:5 proponent (2) 7231:3;7274:6 proponents (4) 7221:12;7222:12, 19;7223:5 Proposal (157) 7222:12,19,23; 7223:1,5;7233:5,13; 7234:20;7235:18; 7236:9,21;7237:18; 7238:15;7240:2; 7245:17,23;7246:21; 7247:3,16,23; 7248:1,3,4,11,12,14; 7249:14;7250:17; 7253:23;7254:1,2,2, 24;7255:25;7257:14, 14;7258:19;7263:5, 12,15;7265:18,22, 25;7266:6;7272:14, 20;7273:19;7274:7; 7275:19;7276:8,16, 24;7277:3,16; 7278:1,2,3,13; 7279:13,14;7280:23; 7282:12,21;7284:20; 7288:25;7289:5; 7290:12;7292:1; 7298:14;7301:23,25; 7311:3;7318:10; 7324:6,10,11,15; 7343:19;7344:20; 7346:18;7347:1,7, 12;7351:10; 7354:21;7361:17; 7362:16,17;7375:10, 23,24;7376:1; 7377:8,12,14; 7383:10;7390:18,19; 7391:2,3,4,11,15; 7396:23,24;7397:7, 8,13,16;7398:8,12; 7400:8,9,16;7401:1, 8,9,18,18;7402:4,6, 16;7403:5;7404:11, 18;7405:7;7410:11, 12,15,18;7411:5,6; 7413:21;7422:9; 7424:13,14,17,25; 7427:5,5,6,18,22,25; 7428:2,4,21; 7430:13;7431:11,11, 18,21,23;7432:6,15, 17,25 proposals (15) 7343:14;7344:23; 7345:6,14;7346:17; 7361:17,19;7362:14; 7374:17,24;7377:8; 7391:19;7400:3,7; 7404:15</p>	<p>propose (3) 7377:23;7411:20; 7439:7 proposed (44) 7230:18;7236:13; 7243:9;7251:12; 7273:5;7289:5; 7291:5,15;7311:4, 10;7324:9;7345:19; 7376:20;7377:15; 7390:20;7391:1,10, 12;7392:1,3; 7397:12,17,20,22; 7398:6;7399:19; 7401:15,22;7402:8, 12,15,19;7403:21; 7404:21;7405:6; 7409:25;7410:3,17; 7411:22;7413:4; 7425:7;7430:15; 7435:13;7441:25 proposes (1) 7402:6 proposing (4) 7288:25;7311:13; 7411:4;7432:10 proposition (1) 7439:25 propositions (1) 7441:24 protect (1) 7307:7 Protection (1) 7358:7 protein (16) 7235:13;7246:22; 7247:5,11;7248:11; 7250:23,24;7293:1, 2,4,4,6,11,14,21; 7295:1 proud (3) 7223:6;7373:18; 7385:23 provide (20) 7238:24;7280:25; 7330:6,25;7342:12; 7349:14;7362:1; 7365:5,19;7366:17; 7368:2,15,20; 7374:7;7379:13; 7385:18;7391:19; 7400:9;7401:19; 7441:6 provided (16) 7236:6;7238:22; 7245:2;7263:1; 7265:8;7275:11; 7306:16,22;7345:4; 7364:2,7;7365:2; 7369:14,22;7397:24; 7402:8 provides (9) 7233:10;7303:15;</p>
--	--	--	--	--

<p>7331:12;7341:11; 7366:12;7367:8; 7369:10;7398:13; 7420:9 providing (2) 7331:9;7345:3 provision (5) 7317:20,23; 7414:2;7425:8; 7426:2 provisions (9) 7324:1,3,8; 7377:23;7378:1; 7393:19;7397:10; 7431:17;7438:11 public (3) 7340:8;7354:8,10 publication (1) 7388:25 published (8) 7234:23;7235:19, 22;7241:6,6; 7390:18;7395:25; 7439:4 pulled (1) 7350:21 pun (1) 7436:8 purchase (5) 7304:5,9;7307:3; 7322:13;7329:19 purchased (2) 7306:24;7307:1 purchases (6) 7304:4;7319:24; 7320:2;7322:12,14, 18 Purchasing (1) 7326:21 purpose (5) 7246:1;7247:6; 7270:2;7332:11; 7365:8 purposes (8) 7247:4;7293:22; 7407:2,4,6;7412:1; 7426:15;7442:3 pursuant (1) 7416:17 pursuit (1) 7368:4 purview (1) 7435:23 push (4) 7268:17,23; 7271:4;7274:18 pushed (1) 7270:12 put (25) 7226:21;7228:18, 23;7231:5;7233:23; 7262:14;7275:19; 7280:22;7287:12;</p>	<p>7296:7;7346:5; 7353:19,20,20; 7402:25;7405:25; 7415:5;7429:4; 7431:5;7432:17,21, 23;7439:1;7441:16, 22 putting (2) 7441:9,23 Q qualification (2) 7380:17,19 qualifies (1) 7380:14 qualify (2) 7325:19;7380:25 quality (7) 7320:22,24; 7321:7;7368:13,19; 7370:2;7381:2 quarter (1) 7271:18 questionable (1) 7345:20 quick (2) 7314:16;7323:25 quickly (3) 7269:10;7379:9; 7440:3 quiet (1) 7258:2 quite (12) 7274:12,15; 7286:9,20;7289:25; 7344:7;7345:4; 7382:23;7393:24; 7402:24;7422:1; 7434:10 quota (197) 7244:17;7301:20, 21,22;7304:12,14, 19,21;7305:4,17,18; 7306:11,12,18,18,23, 24;7307:1,2,3,4,6,6, 9,11,18,21,23,24,25; 7308:8,9,11,14,15, 16,17,17;7309:5,7,8; 7310:15,17,17,20,24, 25;7311:1,1,9,9,10, 11,11;7313:4,6,14, 16,23,23;7314:5,5,9; 7316:8;7317:4,7; 7322:8,12,14,15,19, 21,23,23,24;7323:7; 7324:18;7325:17,18, 21;7326:9,13,17,21, 23,24,25;7327:4,9, 10,13,21,22,23,25, 25;7328:6,6,7,8,8,9, 11,14,21,22;7329:1, 1,11,22;7390:22,23;</p>	<p>7391:6,7,8,16,19; 7396:25,25;7397:1, 2,11,23;7398:1,1,5,6, 14,16;7399:11,15; 7400:10;7401:20,21; 7402:10;7404:1,2, 19;7405:4;7409:2,7; 7410:4,21,25; 7411:8,11,12; 7413:6,7,9,14; 7414:18,20,21,25; 7415:1,17,19; 7416:1,1,5,6,10,11, 16,20;7417:20,21; 7418:3,7;7420:5,9, 12,16,17;7421:4,8, 14;7422:6,11; 7423:3,17,20; 7424:4,19;7425:9, 21;7426:4,8,9; 7427:5,9,10,13,14; 7429:22,22 quotas (3) 7306:15;7307:11, 13 quotation (1) 7399:16 quote (5) 7244:15;7399:10, 14,17;7414:19 quoted (1) 7264:8 quotes (1) 7241:18 R raise (5) 7231:25;7300:21; 7336:7;7360:4; 7389:21 raised (3) 7364:14;7380:3; 7392:13 raises (2) 7347:2;7441:25 raising (1) 7225:12 ran (1) 7302:2 range (2) 7369:6;7393:5 rank (1) 7367:17 ranking (3) 7367:12,16; 7378:22 ranks (3) 7341:1;7367:11; 7378:24 rate (16) 7304:25;7305:4,6, 7,7,9,12;7314:2,11;</p>	<p>7326:18,22,25,25; 7327:5,5;7355:14 rates (1) 7332:25 rather (14) 7258:25;7292:12; 7293:1;7294:10; 7299:22;7326:19; 7329:21;7374:21; 7378:3;7397:15; 7408:2,8;7414:13; 7434:12 ration (1) 7339:8 ratios (1) 7247:10 raw (13) 7304:5,6;7305:14; 7309:9,10;7320:2,4; 7341:18;7342:12; 7349:17,17;7350:1; 7364:19 ray (1) 7369:15 rBST (2) 7321:9,9 reach (2) 7365:5;7433:12 react (1) 7420:13 read (38) 7232:17;7237:10; 7301:12;7302:14,15, 16;7306:20; 7309:17;7310:8; 7314:19;7365:12; 7367:14;7370:12; 7378:19;7390:13; 7391:24;7392:6,7; 7395:4,6,10,12,14; 7398:2;7400:23; 7401:2,3,9;7403:19; 7404:24,25;7408:6; 7411:17,23;7417:5; 7420:20;7424:1; 7427:23 reading (1) 7302:13 reads (2) 7302:14;7400:16 ready (10) 7260:24;7290:4; 7333:19;7335:16; 7382:24;7403:10; 7432:5,13,14; 7433:23 real (4) 7240:17;7346:11; 7403:6;7428:24 realize (5) 7305:11;7312:23; 7315:13;7411:20; 7443:23</p>	<p>really (26) 7228:18;7251:18; 7254:20;7267:19; 7269:20;7270:4; 7289:15;7308:24; 7312:25;7317:7; 7328:3;7331:20; 7347:10,11,14; 7350:9;7351:10; 7357:9;7382:16; 7384:20;7387:12; 7389:13;7430:3; 7434:16,18;7441:2 reason (12) 7240:14;7260:8; 7299:13;7305:6,7,7; 7322:22;7386:11,13; 7415:5,5;7442:15 reasons (4) 7310:23;7382:4; 7440:11,12 rebuttal (10) 7227:3,4;7229:22, 23,25;7230:3,10; 7433:11,13;7442:19 recalculated (1) 7244:4 recall (4) 7233:14;7238:13; 7281:3;7438:13 receive (7) 7304:21;7305:9; 7326:23;7350:19; 7369:23;7398:14; 7420:9 received (16) 7233:19;7261:9; 7266:25;7267:13; 7298:22;7299:12; 7306:5;7311:25; 7343:9,16;7348:19; 7362:19;7369:21; 7372:10;7381:22; 7412:11 receives (2) 7308:8;7331:17 receiving (2) 7320:14;7364:19 Recently (1) 7388:12 recess (2) 7333:20;7444:3 recognition (2) 7310:24;7406:19 recognize (6) 7254:23;7274:7; 7342:21;7406:16; 7410:9;7442:1 recognized (3) 7406:15,22; 7407:5 recognizing (1) 7274:20</p>
--	--	---	---	--

<p>recollection (3) 7226:2;7285:12, 13</p> <p>recommend (2) 7262:2;7384:8</p> <p>recommendation (1) 7345:17</p> <p>recommendations (2) 7379:3,5</p> <p>reconciliation (3) 7289:21;7290:12; 7298:13</p> <p>record (35) 7221:2;7226:21; 7232:18;7256:18; 7261:2;7265:12,14; 7267:4;7290:7,11; 7297:4;7299:23; 7301:13;7334:2,16; 7335:2;7355:6; 7383:1;7384:21; 7390:14;7393:11; 7403:13;7406:16; 7408:6,10;7410:6; 7412:1;7425:10; 7426:25;7430:5; 7441:4,22;7442:4,6; 7444:1</p> <p>records (1) 7371:10</p> <p>recourse (1) 7272:7</p> <p>recruited (1) 7392:20</p> <p>recycle (1) 7353:22</p> <p>recycled (3) 7339:10,13,14</p> <p>recycling (4) 7339:12;7353:13; 7354:4;7357:20</p> <p>red (1) 7283:18</p> <p>re-describes (1) 7402:2</p> <p>redirect (10) 7274:25;7296:12; 7297:21;7298:10,11; 7329:6,7;7356:11; 7387:7;7430:18</p> <p>redirected (1) 7287:11</p> <p>Redlands (1) 7302:9</p> <p>reduce (6) 7339:3;7362:7,14; 7374:18;7377:5,12</p> <p>reduced (4) 7237:23;7238:1,5; 7339:1</p> <p>reduces (4) 7249:20,22,23,25</p> <p>reducing (1)</p>	<p>7237:16</p> <p>reduction (20) 7246:13;7259:1; 7278:23;7279:13,14; 7280:6,18;7281:21; 7282:1;7283:4; 7291:16,24;7292:5, 9,18,20;7344:24; 7374:19;7375:19; 7422:19</p> <p>redundant (1) 7286:10</p> <p>Reed (2) 7223:24,24</p> <p>refer (8) 7233:24;7237:21; 7259:4;7371:6; 7376:4;7378:25; 7405:13;7426:2</p> <p>reference (12) 7243:10;7254:10; 7264:8,9;7318:12; 7338:19;7397:10; 7401:7;7424:2; 7428:25;7429:24; 7430:5</p> <p>referenced (2) 7262:6;7430:4</p> <p>references (5) 7397:23;7408:24; 7424:25;7425:3; 7428:22</p> <p>referendum (3) 7340:3;7363:6; 7378:9</p> <p>referred (7) 7222:13,14,15; 7240:10;7394:23; 7395:16;7396:14</p> <p>referring (3) 7240:12;7259:5; 7317:16</p> <p>refers (2) 7405:16;7414:25</p> <p>reflect (3) 7281:15;7424:16; 7429:12</p> <p>reflected (4) 7294:17;7345:12; 7354:16;7415:24</p> <p>reflecting (2) 7274:6;7393:6</p> <p>Reform (3) 7393:15;7394:16; 7434:20</p> <p>refresher (1) 7398:10</p> <p>regard (23) 7226:9;7267:1; 7280:17;7289:15; 7296:24;7328:21; 7348:14;7358:21; 7375:22;7390:19;</p>	<p>7391:14;7397:8,24; 7399:8;7400:3; 7414:9;7417:11; 7430:11;7431:10,20, 21;7437:2,4</p> <p>regarding (3) 7258:13;7272:21; 7345:18</p> <p>regardless (2) 7305:13;7410:14</p> <p>regards (2) 7266:11;7428:22</p> <p>region (15) 7341:14;7342:9; 7345:4,7,16; 7361:21,23,25; 7364:5;7365:20,21; 7376:18;7378:7; 7385:19;7437:3</p> <p>regional (7) 7285:5;7363:19, 25,25;7364:2,4; 7368:15</p> <p>regionally (1) 7364:24</p> <p>regions (11) 7345:16,20; 7362:4,8;7363:4; 7366:9;7376:23; 7377:1,5,7;7378:9</p> <p>region's (1) 7344:20</p> <p>regions's (1) 7342:12</p> <p>Register (3) 7403:25;7409:10; 7418:18</p> <p>registered (1) 7364:11</p> <p>regs (1) 7408:25</p> <p>regular (25) 7306:17,23; 7307:1,6,24;7311:1, 9;7322:14,19,20,23; 7327:10,22,25; 7328:6,7,9,11,20; 7329:1,1;7426:9; 7427:9,10,13</p> <p>regulated (15) 7233:5,5;7242:20; 7253:15;7272:18; 7273:6;7275:24; 7276:2,8,21;7277:1; 7291:17;7315:23; 7324:17;7342:23</p> <p>regulation (4) 7246:13;7342:25; 7343:6;7414:3</p> <p>regulations (6) 7340:10;7353:14; 7357:11;7409:4; 7411:19;7421:8</p>	<p>Regulatory (4) 7222:9;7341:12; 7345:18,21</p> <p>reiteration (1) 7402:7</p> <p>reject (1) 7443:17</p> <p>relabel (1) 7258:23</p> <p>related (7) 7239:11,17; 7242:11;7292:19; 7307:19;7317:5; 7361:20</p> <p>relating (2) 7426:8;7440:9</p> <p>relation (1) 7349:10</p> <p>relations (1) 7305:23</p> <p>relationship (3) 7234:2;7238:14; 7242:6</p> <p>relationships (2) 7285:5,14</p> <p>relative (16) 7233:8;7234:22; 7235:7,11;7241:17; 7242:3;7246:12; 7255:16;7258:15; 7263:22;7275:18; 7285:14;7287:10; 7291:7;7294:15; 7295:23</p> <p>relatively (4) 7341:24;7367:9; 7369:16;7388:16</p> <p>release (1) 7241:15</p> <p>released (2) 7235:1,6</p> <p>releasing (1) 7317:12</p> <p>relevance (2) 7437:10;7440:20</p> <p>relevant (4) 7272:22;7437:3; 7438:3;7442:21</p> <p>relies (1) 7368:23</p> <p>rely (1) 7443:20</p> <p>relying (2) 7261:23;7431:6</p> <p>remain (3) 7232:9;7307:11; 7344:23</p> <p>remaining (2) 7304:9;7368:9</p> <p>remains (1) 7341:25</p> <p>remarkable (2) 7224:17;7365:3</p>	<p>remarkably (1) 7226:13</p> <p>remember (6) 7262:10;7286:10; 7288:17;7418:19; 7425:5,6</p> <p>remind (1) 7255:17</p> <p>removed (1) 7420:17</p> <p>rented (1) 7338:11</p> <p>repeat (1) 7399:4</p> <p>repeatedly (3) 7413:13;7442:12, 13</p> <p>repercussions (1) 7346:21</p> <p>replace (5) 7260:6;7297:14; 7338:24;7394:12; 7402:13</p> <p>replaced (1) 7257:23</p> <p>reply (3) 7230:20;7231:1, 15</p> <p>report (2) 7383:2;7432:9</p> <p>reported (3) 7425:4,16,22</p> <p>reporter (9) 7225:18;7270:16; 7271:8;7303:7; 7312:21;7408:4; 7411:17,18;7432:11</p> <p>reporting (3) 7424:15;7426:7; 7434:9</p> <p>reports (6) 7364:3;7401:23, 25,25;7409:18,20</p> <p>represent (12) 7236:7;7255:4; 7307:14;7318:9; 7349:4;7351:8; 7367:21;7383:9; 7420:5;7423:16,18; 7424:6</p> <p>representative (5) 7223:9;7272:16; 7438:1,2;7443:2</p> <p>representatives (3) 7363:21;7364:1; 7368:10</p> <p>represented (6) 7240:6;7255:1; 7299:5;7420:16; 7422:13;7426:17</p> <p>representing (8) 7223:15;7224:6; 7231:3;7301:5;</p>
--	---	--	---	--

7337:6;7340:15; 7368:8;7422:19 represents (2) 7367:5;7420:12 request (6) 7259:9;7277:23; 7345:9;7385:18; 7408:5;7411:18 requested (1) 7378:4 requesting (1) 7284:21 requests (1) 7384:5 require (4) 7230:25;7321:9; 7401:22;7409:20 required (9) 7241:9;7342:12; 7353:14;7363:6; 7366:6,20;7369:25; 7378:9;7421:12 requirement (3) 7231:2;7421:7,22 requirements (7) 7327:20;7353:24; 7374:1;7380:17,19; 7393:18;7421:20 requires (2) 7227:23;7365:25 re-read (2) 7395:14;7401:13 re-running (1) 7260:4 researching (1) 7339:17 resembles (1) 7391:15 reserved (1) 7397:16 reside (1) 7368:9 resident (1) 7223:6 respect (22) 7229:22;7297:25; 7298:1;7314:8; 7319:23;7320:17; 7353:12;7354:14,14; 7385:19;7386:20; 7388:19;7409:12,12; 7421:11;7425:18; 7427:4,18;7435:5, 13;7437:9,13 respectful (1) 7229:12 respectfully (1) 7345:9 respective (6) 7252:5;7391:20; 7392:3;7399:21,22; 7404:15 re-spell (1)	7308:5 respond (5) 7226:24;7231:14; 7276:7;7300:18; 7312:11 responding (1) 7440:10 response (3) 7282:4;7300:19; 7437:1 responsibility (2) 7230:9;7343:5 responsible (4) 7334:22;7353:21; 7364:4;7426:3 rest (9) 7270:10;7275:8; 7309:18;7311:9; 7352:15;7384:11; 7386:22;7390:23; 7430:14 restate (1) 7248:21 restated (7) 7248:19;7253:13, 15;7263:6;7264:7, 17;7265:23 restaurants (1) 7396:7 result (5) 7265:2;7274:12; 7285:16;7375:18; 7391:18 resulted (3) 7306:4,6;7374:3 resulting (2) 7363:19;7394:17 results (4) 7291:16;7372:3; 7373:17;7384:19 resume (2) 7261:12;7275:14 retail (1) 7396:7 retailers (1) 7305:23 retain (2) 7391:4,8 retained (1) 7402:11 retired (2) 7364:9;7392:11 retirement (2) 7395:24;7396:1 retrieve (1) 7439:12 return (3) 7226:17,24; 7338:8 returned (2) 7338:6,13 revenue (2) 7326:1;7371:23	review (5) 7294:24;7331:10; 7344:21;7357:11,19 reviewed (2) 7294:8,12 reviewing (1) 7289:2 revised (2) 7362:17;7377:15 revolved (1) 7365:18 Richard (9) 7224:11;7359:19, 21;7360:11,16,22; 7370:21;7387:9; 7391:3 R-I-C-H-A-R-D (1) 7360:12 richly (1) 7254:13 Richmond (18) 7221:21,21; 7323:21,23,24; 7356:5,6,6;7383:22, 24,25;7384:3; 7407:12;7428:12,14, 15,17;7430:16 R-I-C-H-M-O-N-D (1) 7221:22 Right (149) 7227:6,15; 7231:18;7234:6; 7239:25;7244:7; 7245:9;7247:24; 7249:4;7254:5,5; 7255:24;7256:3,8, 19;7257:13;7258:7, 24;7260:18;7262:13, 15;7263:6,7; 7270:25;7271:1,11; 7273:9;7276:25; 7277:8;7280:19; 7282:17;7288:2,21; 7290:21;7296:19,19, 24;7298:9;7299:4,5, 8,13,25;7300:21; 7302:22;7303:4; 7308:4,9;7313:25; 7315:4,8,11; 7316:22;7318:22; 7323:18;7328:17,20; 7329:4,13;7333:10, 18;7335:4,7,16; 7336:3,7,21; 7338:18;7344:18; 7348:12,13;7351:18; 7352:19;7355:14; 7358:4,8,11; 7359:14,17,25; 7360:5;7370:11,13, 17;7371:2,12; 7372:17,22;7373:3, 4,12,16,19;7374:9,	13,13;7375:2,7; 7376:3,8,15; 7377:17,18,21; 7380:20;7381:8,11; 7382:20,20;7385:25; 7389:8,20,21; 7392:5,6;7395:3,10; 7396:22;7397:5; 7398:21;7399:17; 7400:20,23;7404:6, 13,22;7405:24; 7406:3,6;7408:14; 7409:4,8,25; 7414:12;7417:12; 7418:10,13;7421:15, 16;7423:14;7430:2; 7431:8,25;7432:5, 15;7433:25;7436:2, 11,14 rights (1) 7325:21 rise (1) 7382:3 risk (2) 7286:10;7442:1 risks (2) 7441:12;7442:4 Riva (5) 7223:19,19; 7335:9,12,14 Riva's (1) 7335:8 Rives (5) 7223:15,20; 7301:5;7335:12,13 Road (4) 7337:23;7338:1; 7360:24;7441:4 Rob (2) 7224:3;7334:20 role (1) 7426:13 rolling (1) 7380:22 roof (2) 7321:18;7421:24 room (9) 7224:19;7228:7,8; 7252:9;7270:21,24; 7271:15;7378:21; 7406:15 rooted (1) 7254:13 rotary (1) 7338:22 round (2) 7287:7;7386:24 rounds (1) 7230:24 routine (1) 7323:13 row (9) 7233:22,23;	7237:16,23,23; 7238:2,6;7257:6; 7291:13 rule (11) 7221:8;7222:6; 7317:16;7393:13; 7394:20;7434:23; 7435:6;7437:16,17; 7440:14;7442:15 ruled (2) 7230:18;7443:12 rules (15) 7272:21;7353:18; 7357:3,8,11; 7418:24;7435:7,10, 11,14;7437:13; 7438:5;7439:23; 7440:11,12 run (4) 7245:14;7248:23; 7331:25;7332:4 running (1) 7252:20 runoff (1) 7353:23 Ryan (2) 7224:1;7302:11 rye (1) 7339:7
S				
Safety (1) 7222:9 sale (1) 7328:11 sales (6) 7306:12;7313:22; 7352:24;7363:14,18; 7364:5 same (65) 7234:14;7235:17; 7236:24;7238:7; 7240:25,25;7241:12; 7242:3,15;7243:20; 7245:23;7246:16; 7248:2;7258:8; 7263:15;7264:2,10; 7278:20,20;7279:10; 7284:13;7289:2; 7292:11;7293:17,20, 25;7294:4;7295:18; 7300:16;7303:14; 7305:10,12,13; 7308:22;7320:22; 7321:22;7323:11,12; 7327:3;7329:3; 7330:20,21;7342:7; 7343:4;7347:12; 7358:17;7365:8; 7373:23,24;7378:23; 7387:3;7391:18; 7397:23;7403:20;				

7415:24;7416:1; 7417:17;7421:1,23, 23;7429:19; 7435:11;7437:4; 7438:13;7440:14	Science (4) 7338:4;7363:9; 7392:15,15	securing (1) 7306:4	7397:15;7421:12,23; 7439:8,9	share (2) 7269:1;7379:22
San (1) 7222:18	scientific (1) 7440:7	seeding (1) 7433:19	separated (1) 7332:10	shared (1) 7268:7
Sand (1) 7339:13	scope (4) 7390:20;7391:9; 7414:10;7440:24	seeing (4) 7336:21;7425:5, 19;7427:23	separately (5) 7228:24;7229:3; 7240:19;7321:20; 7387:23	shed (1) 7362:10
satisfied (1) 7287:13	scratch (1) 7352:8	seeking (4) 7311:8;7342:24; 7361:11;7396:5	September (1) 7244:3	sheet (3) 7307:16,17; 7308:9
saved (3) 7335:5;7372:13, 19	script (1) 7406:13	seem (1) 7418:11	sequence (1) 7323:12	Shehadey (1) 7391:3
savings (1) 7372:3	search (1) 7289:7	seems (4) 7253:24;7389:8; 7413:25;7423:21	sequentially (1) 7281:2	shield (2) 7435:8,16
saying (13) 7225:3;7227:15; 7256:10;7271:19; 7329:15;7346:23; 7357:3;7386:12,19; 7413:20;7415:13; 7428:1;7434:11	seasons (1) 7341:11	sees (1) 7417:24	series (7) 7235:25;7236:14; 7237:17;7239:14; 7241:5;7292:4; 7368:12	shift (1) 7365:2
scattered (1) 7365:1	seated (4) 7300:17;7336:7; 7360:1;7389:21	segment (1) 7367:6	serve (2) 7229:6;7340:20	ship (3) 7286:25;7340:17; 7353:4
scenarios (1) 7280:7	second (19) 7227:16;7229:16; 7264:1;7268:7; 7297:14;7302:13,23; 7310:4;7317:2; 7370:22;7378:25; 7382:8;7396:6; 7404:10;7414:22; 7416:20;7433:5; 7434:11;7436:25	segments (3) 7302:5;7368:11; 7374:5	Service (15) 7221:20,22; 7224:20;7299:6; 7354:10;7364:8; 7369:5;7392:12,17, 21,22;7393:3; 7405:14;7406:17; 7434:9	shipments (1) 7363:17
Schad (9) 7222:20,20; 7286:3,5,7,22,23; 7442:18,24	secret (1) 7396:13	Select (3) 7223:25;7224:2; 7251:7	selected (2) 7233:2;7377:11	shipped (3) 7286:25;7351:20; 7364:13
S-C-H-A-D (1) 7222:20	Secretary (6) 7231:8,10; 7288:25;7327:19; 7434:12;7436:24	selection (1) 7250:22	sell (3) 7303:25;7322:22, 24	Shoals (1) 7338:1
Schaefer (18) 7221:25,25; 7287:19,21;7288:14, 15;7289:6,12,14,25; 7290:9,18,20,22; 7292:23;7295:3,5,7	Secretary's (1) 7335:2	selling (4) 7305:24;7317:12; 7320:13;7332:20	services (7) 7330:6,8,9;7331:9, 12;7368:2,16	shoe (1) 7429:4
S-C-H-A-E-F-E-R (1) 7221:25	section (58) 7293:3;7395:12; 7396:25;7397:15,25; 7398:3,5,7,10,11,19; 7399:5,9,11,13,15, 21;7400:1,8,13,13, 17,20;7401:1,3,12, 24;7402:3,4,5,7,12, 15;7403:21;7404:2, 14,20,21;7405:5,6; 7408:22;7409:12,17; 7414:19,24;7415:22, 25;7416:18; 7417:13;7422:14,15, 18;7425:20;7427:22, 24,25;7428:3,5	sells (1) 7303:15	SESSION (3) 7221:1;7225:15; 7334:1	shoes (1) 7231:5
Schaefer's (1) 7289:4	Sections (15) 7404:15;7409:4,5; 7413:21,22;7416:4, 7,17;7422:14; 7429:21,25;7430:4, 24;7431:6;7432:18	semantics (1) 7314:1	set (17) 7232:21;7233:12; 7234:14;7242:9,16; 7244:11;7253:7; 7256:24;7272:11,23; 7280:22;7335:22; 7370:2;7374:20; 7387:13;7388:16; 7441:3	short (9) 7228:4;7260:8,10, 18;7289:6;7298:12; 7352:2;7363:12; 7373:17
scheduled (1) 7227:9	Secretary's (1) 7335:2	semi-colon (4) 7395:11;7406:1,4, 7	sets (1) 7277:25	shorter (6) 7226:2,2;7268:8,9, 12;7432:11
schedules (1) 7364:7	section (58) 7293:3;7395:12; 7396:25;7397:15,25; 7398:3,5,7,10,11,19; 7399:5,9,11,13,15, 21;7400:1,8,13,13, 17,20;7401:1,3,12, 24;7402:3,4,5,7,12, 15;7403:21;7404:2, 14,20,21;7405:5,6; 7408:22;7409:12,17; 7414:19,24;7415:22, 25;7416:18; 7417:13;7422:14,15, 18;7425:20;7427:22, 24,25;7428:3,5	send (2) 7331:1;7335:4	settlement (5) 7379:18;7380:16; 7422:19;7425:1,2	shout (1) 7227:10
scheduling (7) 7226:10;7227:4; 7229:7;7230:6,15; 7267:18;7269:4	sections (15) 7404:15;7409:4,5; 7413:21,22;7416:4, 7,17;7422:14; 7429:21,25;7430:4, 24;7431:6;7432:18	sense (6) 7260:11;7318:1; 7346:10,11;7347:8; 7414:10	several (6) 7293:13;7307:8; 7318:15;7386:21; 7393:13,14	show (8) 7244:22,25; 7248:1;7251:11,24; 7403:3;7410:15; 7425:9
Schiek (6) 7223:10,10; 7226:24;7233:18; 7260:4;7289:2	Sectors (2) 7364:23;7365:9	sentence (15) 7302:13;7306:20; 7310:9;7313:5; 7367:14;7370:19,22; 7372:23;7401:3,13; 7403:16;7404:9; 7405:1,15;7424:1	shaking (1) 7283:19	showing (5) 7250:16;7251:17; 7291:17;7375:4; 7409:18
S-C-H-I-E-K (1) 7223:10	sector (1) 7366:14	separate (24) 7241:9;7280:23; 7303:12,17;7304:18; 7309:2,15;7319:4; 7323:7;7325:25; 7330:4,7,9,19,20; 7331:7;7332:5; 7382:13;7393:13;	shaded (1) 7294:1	shown (4) 7234:16;7242:21; 7376:5;7396:24
Schiek's (2) 7236:13;7295:22	sectors (2) 7364:23;7365:9	sees (1) 7417:24	shape (1) 7432:20	shows (13) 7247:16;7249:14, 15;7251:23; 7278:24;7285:2,3; 7325:24;7326:5,7; 7343:19;7361:18; 7376:7
school (8) 7320:4,5;7339:25; 7354:11;7364:19; 7392:20,20;7396:5		segment (1) 7367:6	Shall (1) 7308:2	shutdown (1) 7235:5
		segments (3) 7302:5;7368:11; 7374:5		side (24) 7242:4;7249:2,4; 7256:1,3;7259:25;

7292:11;7303:11; 7307:22,23;7315:17; 7338:16;7412:18,19, 22;7422:17;7423:4, 5,18,25;7424:5,7; 7425:1;7443:10 signed (1) 7429:19 significance (2) 7343:17;7365:15 significant (7) 7306:8;7310:21; 7342:2;7361:25; 7365:3;7371:16; 7441:25 significantly (1) 7268:12 silage (1) 7339:6 similar (13) 7249:1;7250:13; 7263:1;7264:7; 7265:17;7292:22; 7293:10;7294:5; 7332:12;7379:21; 7391:16;7404:18; 7427:21 similarity (1) 7241:25 similarly (13) 7235:21;7242:5; 7249:12;7259:2; 7292:4;7327:13; 7377:14;7378:20; 7400:9;7401:9,18; 7403:22;7428:4 simple (5) 7264:20,22; 7265:3;7299:21; 7347:8 simplicity (1) 7314:19 simplified (1) 7405:20 simplify (1) 7281:9 simplifying (1) 7315:12 simply (9) 7225:10;7238:24; 7248:10;7249:1; 7252:4;7261:6; 7310:12;7438:4,21 simultaneously (1) 7366:19 sincerely (2) 7362:19;7383:10 single (1) 7228:8 site (1) 7389:4 sites (3) 7303:18;7319:5;	7437:12 sitting (3) 7324:20;7382:23; 7412:19 situated (1) 7378:20 situation (4) 7349:16;7357:7; 7429:2;7443:16 situations (1) 7440:17 six (3) 7382:19;7393:8; 7437:24 size (4) 7250:4;7338:10, 24;7367:18 sizeable (1) 7325:2 skills (1) 7368:20 skim (19) 7250:16,22; 7251:6,7,8,10,18; 7254:1,2;7257:9,10; 7263:12;7416:19,25; 7417:19,21;7418:3, 7;7419:2 skip (1) 7250:1 skipped (1) 7262:8 slight (1) 7374:3 slow (3) 7303:6;7337:16; 7397:21 slower (2) 7317:14,15 small (7) 7259:9,10,12; 7356:21;7358:16; 7363:14;7424:12 smaller (2) 7353:10;7414:17 smallest (1) 7260:21 smart (1) 7442:2 smidge (1) 7303:6 Smith (49) 7224:5,5;7229:4,4, 9,15;7267:24; 7269:25;7271:11,12, 17;7333:12;7335:18, 18,24;7336:4; 7337:4,6,6,10,12,16, 18;7345:24; 7347:23;7348:2,5,7, 21,23;7356:11; 7358:11,13;7359:12, 13,18,19;7360:13,	15;7370:21; 7378:11;7381:13,23; 7387:7,8,9,13,15,16 S-M-I-T-H (1) 7224:6 Smith's (1) 7269:8 SNF (21) 7242:12;7244:18; 7245:10;7251:4,4, 10,16,18,19,21; 7256:1,9;7257:16, 18;7263:11; 7264:16;7265:6; 7291:10,13;7292:6,7 soil (1) 7339:10 sold (4) 7307:13;7313:13; 7327:12;7388:14 solemnly (4) 7300:22;7336:9; 7360:6;7389:23 solid (1) 7308:10 solids (43) 7243:20,23; 7246:20;7247:3,5,5, 7,9,11,12,13,14,25; 7248:1,13;7249:6, 21;7250:17,18,25; 7251:2,4;7252:1,3; 7255:12;7264:5,24, 25;7291:19,22; 7294:5,20;7295:19; 7297:13;7326:22; 7397:1;7404:2,19; 7405:5;7414:25; 7415:8;7425:21; 7429:23 solve (1) 7260:14 somatic (1) 7321:6 somebody (9) 7320:7;7332:6; 7373:2;7380:2; 7417:24;7418:15,16; 7441:23;7443:10 somehow (6) 7308:19;7416:15; 7428:25;7439:22; 7441:19,23 someone (5) 7230:22;7286:2; 7287:18;7440:21; 7441:6 Sometimes (4) 7325:23;7414:16; 7415:11,12 somewhat (1) 7439:11 somewhere (4)	7259:22;7382:15; 7415:19;7439:10 son (1) 7388:12 sons (2) 7338:13;7364:11 soon (3) 7227:21;7303:8; 7388:2 sooner (1) 7268:6 sorghum (1) 7339:7 sorry (18) 7229:14;7279:4; 7280:15;7283:24; 7288:14;7302:21; 7309:19;7350:12; 7356:15;7365:13; 7382:12;7394:7; 7396:17,23;7397:3; 7401:5;7407:13; 7409:14 sort (7) 7413:10;7414:8, 15;7417:2;7429:19; 7430:25;7440:17 sorts (2) 7274:18;7416:5 sound (1) 7360:3 sounded (1) 7357:5 sounds (3) 7237:2,3;7324:25 sour (1) 7303:25 source (2) 7305:12;7379:14 sources (3) 7273:21;7286:14; 7330:20 south (3) 7315:10;7340:25; 7352:21 Southeast (52) 7229:5;7340:19; 7341:25;7342:5,8; 7343:11,15,23; 7344:3;7345:12; 7346:8,25;7347:7, 12;7350:20;7351:11, 18,25;7353:6; 7354:20,25;7355:5, 17;7361:3,18,20,22; 7362:15,18;7363:1, 4,11,14;7365:15,20, 22;7366:1,14; 7373:24;7374:2,4,5, 18,24;7375:25; 7376:4,11,18; 7377:13,16;7378:7; 7386:21	Southern (9) 7252:7;7258:22; 7264:4,5,12,21; 7265:3;7302:8; 7338:5 spans (1) 7234:5 Sparrow (67) 7224:11,11; 7229:6;7335:20,21; 7336:3;7345:18,19; 7359:19,20,22; 7360:1,8,11,11,22; 7365:13;7367:15; 7370:12,14,16; 7371:1,3,8,10,16; 7372:2,16,18,21,25; 7373:2,6,11,14,18, 21,23;7374:11,15; 7375:6,8;7376:6,8, 10,13,17;7377:20, 22;7378:12;7381:9, 16,23;7382:4,21; 7383:3,7,21;7384:1; 7385:17;7387:6,12, 14,16,22;7388:4; 7389:5 S-P-A-R-R-O-W (1) 7360:12 Sparrow's (3) 7271:13;7335:17; 7381:15 spatial (1) 7284:24 speak (2) 7334:14;7430:9 speaking (10) 7321:4;7330:1; 7332:5;7344:16; 7352:13;7361:4; 7379:2;7437:6; 7438:1,2 specialist (1) 7407:5 Specialists (1) 7369:5 specialty (1) 7302:2 specific (8) 7233:24;7235:5; 7262:12;7289:13; 7317:8;7368:18; 7393:15;7408:13 specifically (14) 7233:10;7241:8; 7242:18;7262:5; 7291:3;7305:16; 7331:22;7369:8; 7404:19;7405:3,4; 7408:12;7428:23; 7441:6 specifics (3) 7234:18;7396:21,
--	---	---	---	---

<p>23 specified (3) 7398:9;7401:23; 7404:16 spell (3) 7232:10;7360:9; 7390:1 spelled (2) 7336:13;7390:3 spelling (1) 7318:23 spend (3) 7267:21;7268:25; 7269:18 spending (2) 7268:16;7305:20 spent (2) 7307:8;7406:21 split (1) 7247:4 spoke (1) 7352:17 spread (1) 7239:13 spreadsheet (3) 7289:21;7290:25; 7294:17 stable (1) 7341:15 staff (2) 7331:12;7369:6 staffs (1) 7394:21 stake (1) 7259:9 stand (12) 7224:18;7226:3, 16;7336:6;7359:21; 7371:7;7382:6; 7406:15;7419:18; 7435:1;7441:18; 7442:18 standard (5) 7243:22;7244:14, 21;7265:19;7291:22 standardization (1) 7366:3 standards (5) 7263:14;7370:2; 7437:7,9;7440:19 standing (1) 7441:24 stands (1) 7358:5 Stanislaus (2) 7319:6,7 start (27) 7227:24;7229:25; 7245:14;7248:6; 7266:18;7274:3,3; 7276:13,24;7288:9; 7291:6;7293:6,13; 7296:8;7313:1;</p>	<p>7332:3;7363:12; 7370:18;7397:20; 7401:16;7402:14,19; 7412:24;7414:16,16; 7420:3;7433:13 started (3) 7338:7;7346:4; 7389:12 starting (12) 7233:2;7245:14; 7246:15;7260:1; 7264:13;7272:6; 7291:13;7297:10,13; 7374:14;7396:13; 7405:2 starts (2) 7253:10;7282:19 State (76) 7223:7;7232:10; 7235:22;7236:11,25; 7238:8,11,21; 7239:13,14;7240:2; 7244:7,14,17; 7246:4;7248:20; 7249:4,12,23; 7255:16,20;7257:14; 7263:19;7265:20,25; 7266:9;7275:21; 7285:16;7306:2; 7310:22;7319:16; 7334:12;7341:11,14, 23;7342:25; 7353:14;7354:9; 7355:25;7357:8,9; 7360:9;7367:10; 7368:24;7369:3,21; 7379:22,25;7380:12; 7381:6;7390:1,25; 7391:6;7392:16; 7397:8,10,24; 7398:13;7400:11; 7401:20;7410:21; 7413:18;7414:3,3,7; 7416:5;7420:7; 7422:6;7426:14,23; 7427:16;7429:9,13, 17,18;7438:13 state/federal (1) 7414:6 stated (3) 7310:13;7376:21; 7405:20 statement (29) 7232:17;7268:8; 7301:10,13;7312:5; 7324:19,23;7326:14, 16;7337:13,19; 7347:24;7360:18,21; 7378:13;7379:1; 7381:15;7384:17; 7385:17;7390:14; 7392:6;7405:11; 7408:1;7427:8;</p>	<p>7431:21;7437:16; 7442:21;7443:4,5 statements (8) 7226:20;7304:18; 7333:8;7434:23,25; 7437:12,17,21 States (22) 7221:6,9,11; 7231:8;7295:9,20; 7340:25;7346:22; 7347:21;7365:22; 7373:23;7379:21; 7386:7;7394:24; 7395:18;7405:17,25; 7406:7;7434:10,13; 7436:7;7440:7 state's (5) 7341:3,6;7344:10; 7368:11;7375:8 statewide (1) 7342:16 status (1) 7317:10 statute (1) 7431:5 statutes (1) 7413:8 stay (2) 7247:18;7386:18 stayed (1) 7299:18 stays (2) 7310:15;7347:7 Steenek's (1) 7348:4 step (4) 7299:14;7389:8; 7434:1,5 Stephenson (4) 7274:19;7275:14, 16;7284:16 still (13) 7227:9;7228:5; 7241:25;7272:2; 7303:14;7346:14; 7347:18;7354:12; 7363:3;7378:6; 7383:12;7419:6; 7442:3 stipulations (1) 7421:9 stock (1) 7338:10 Stoel (5) 7223:15,20; 7301:5;7335:12,13 stop (4) 7252:13;7302:12; 7309:17;7395:3 stores (3) 7396:8,11,12 straight (1) 7423:11</p>	<p>straightforward (2) 7244:12;7291:8 strategic (3) 7307:20;7317:6, 11 strategically (1) 7353:5 stream (2) 7327:10;7329:2 streamlined (1) 7432:13 street (1) 7382:13 stress (2) 7339:4;7345:7 stretch (3) 7333:11;7382:22; 7389:7 stricken (1) 7257:22 strictly (1) 7253:10 strike (16) 7302:23;7374:9; 7394:12;7398:17,24; 7400:13,16,20; 7402:13,16,24; 7404:4,7,10; 7405:21;7406:3 strong (4) 7340:23;7347:14, 16;7361:8 strongly (1) 7342:19 struck (2) 7401:2,12 structure (4) 7245:23;7305:19; 7367:6;7424:19 structured (2) 7305:16;7397:14 structures (1) 7422:3 struggle (1) 7341:24 stuck (1) 7388:13 study (3) 7354:16;7355:8, 10 stuff (1) 7418:13 sub (1) 7431:4 subject (6) 7227:2;7314:4,5; 7393:16;7440:6; 7441:7 submit (3) 7231:1,2,4 submits (1) 7230:25 submitted (1)</p>	<p>7233:18 subparagraph (4) 7400:2;7403:23, 25;7425:21 subparagraphs (1) 7398:9 subsection (1) 7397:9 subsequent (1) 7308:15 subsidize (2) 7372:7,25 substance (1) 7415:21 substantial (4) 7347:11;7351:20; 7372:3;7379:24 substantially (1) 7341:17 subtract (7) 7398:16;7417:1,8, 9,14;7418:6,8 subtracted (1) 7417:7 subtracting (3) 7416:21;7417:5,6 suburb (1) 7392:13 succeeded (1) 7369:13 success (2) 7369:16,17 successful (2) 7393:21,25 Sue (6) 7223:12;7226:3; 7231:19;7232:4,11; 7286:6 S-U-E (1) 7232:11 suffered (2) 7309:6,6 suffice (1) 7262:18 suggest (4) 7261:12;7272:25; 7300:19;7385:1 suggested (4) 7349:22;7369:17; 7409:11;7427:7 suggesting (1) 7334:9 suggestion (1) 7411:16 suggestions (1) 7419:13 Suite (1) 7338:1 sum (2) 7305:13;7339:17 summarization (1) 7253:11 summarized (1)</p>
---	---	--	---	---

<p>7365:21 summary (1) 7374:23 summers (1) 7364:19 summertime (1) 7320:5 superior (1) 7400:7 supervised (1) 7363:21 Supervisor (2) 7363:19,20 Supervisors (1) 7364:1 supplemental (2) 7366:21;7372:6 supplier (1) 7341:17 suppliers (3) 7321:10;7422:21,22 supplies (2) 7286:16;7366:24 supply (23) 7287:1;7304:5; 7313:19;7319:24; 7320:1,6,9,17; 7321:12;7322:5; 7323:12;7341:15; 7342:12,17;7345:3; 7349:20;7350:21; 7354:24;7365:20; 7366:1,6,17,21 supplying (1) 7350:20 support (16) 7261:22;7301:23; 7306:9;7324:11; 7342:19;7343:2; 7345:17;7351:10; 7361:8,14;7362:10; 7367:9;7383:10; 7390:17;7405:7; 7424:18 supporter (1) 7347:14 supportive (1) 7341:11 supports (1) 7311:3 suppose (1) 7328:18 supposed (1) 7401:9 Supreme (5) 7394:24;7395:17; 7405:16,25;7406:6 sure (28) 7234:10;7247:2; 7282:4;7316:5,13; 7320:16;7332:24; 7335:7;7356:25;</p>	<p>7359:1;7361:23; 7383:16;7390:3; 7398:21;7402:24; 7403:19;7410:7; 7412:2;7413:12; 7418:25;7419:17; 7420:20;7422:1; 7424:2;7425:6; 7432:5;7440:18,18 surface (4) 7233:5;7274:9,14; 7386:5 survey (6) 7233:15,16; 7238:12;7239:9; 7245:25;7292:2 surveys (2) 7234:21;7240:17 suspect (2) 7360:3;7407:3 sustain (1) 7366:23 sustainability (2) 7366:15;7368:2 sustainable (1) 7354:3 swear (8) 7300:16,22; 7336:6,9;7360:1,6; 7389:20,23 swearing (1) 7300:17 sweet (1) 7298:12 Swiss (1) 7364:11 sword (2) 7435:12,16 sword/shield (1) 7438:20 sworn (3) 7232:9;7434:25; 7437:11 system (34) 7237:20;7243:23; 7244:20;7254:24; 7301:20;7304:25; 7305:2,8,18; 7310:18,20,24; 7311:10;7323:15; 7346:7;7347:19,21; 7352:4;7361:9; 7390:23;7391:6,8; 7393:10,22;7394:1, 18;7395:1,19; 7397:24;7405:22; 7410:22;7423:11,17; 7425:10</p>	<p>7233:3,10,12,20; 7234:4,10,10,13,17; 7236:4;7237:13; 7238:5,24,25; 7239:25;7240:1,22, 23,24,24;7241:21, 22;7242:9,11,13,16, 18,21,23;7243:5,6,7, 25;7244:7;7246:14, 18,19;7250:2,2,7,9, 10;7253:4,4,8; 7254:5;7255:8,22; 7256:3;7257:13; 7258:13,15,24; 7259:9,11,17,18,19, 24;7260:6,12; 7261:4,7,9,16,17,21, 21,23;7262:2,5,8,9; 7263:1,24;7266:11; 7269:16;7273:24,25; 7277:6;7282:18; 7289:20;7291:8,9; 7292:21;7294:7,9; 7374:23;7375:15,22; 7376:7,16 tables (19) 7232:21;7233:1; 7241:25;7249:18; 7256:24;7259:23; 7263:2,2;7264:8; 7265:17;7266:4,13; 7272:25;7276:13; 7283:13,25;7291:1, 3;7348:8 talk (12) 7226:18;7257:25; 7270:14;7326:19,20; 7353:16;7373:1; 7384:4;7402:21; 7422:11;7431:14; 7433:3 talked (6) 7290:10;7296:23; 7316:17;7346:15; 7349:20;7432:19 talking (19) 7269:1;7276:25; 7281:15,16;7285:14; 7290:9;7320:2; 7326:2;7327:10; 7344:15;7357:4,17; 7386:16;7416:1; 7420:21;7423:24; 7433:10;7436:4; 7438:8 talks (3) 7425:15,21,22 tangent (1) 7396:17 tanker (2) 7372:5,9 tankers (2) 7339:1;7353:10</p>	<p>tanks (1) 7338:25 targeting (1) 7308:18 tasked (1) 7221:7 tasking (1) 7224:25 Taylor (108) 7223:12,12; 7226:3,9,15,19; 7232:1,4,9,11,11,17, 24;7234:3;7236:3; 7237:2,5,9;7239:22, 24;7240:21; 7242:13;7245:9; 7246:14,24;7248:6; 7250:1,9;7252:11, 16;7253:20;7255:7; 7256:13,24;7257:3; 7258:12;7259:6,8, 15;7261:13,16; 7262:25;7263:17; 7266:10,19;7267:2, 19;7268:17;7269:7, 9,21;7270:2,3,13; 7271:2,24;7272:1,9; 7273:17;7275:12,13, 15;7277:8,9,13; 7278:16,17;7279:21, 22,25;7280:11,17, 18;7281:13,17,19, 23;7282:5,6,8; 7283:7,16;7285:24, 25;7286:2;7287:22; 7289:12,18;7290:10, 24;7296:5,11,18,23, 24;7297:2,5,8,9,12; 7298:2,10,15,16; 7299:14,16,19; 7382:6 T-A-Y-L-O-R (1) 7232:12 Taylor's (1) 7231:20 teach (1) 7396:3 teaching (1) 7396:4 team (1) 7290:3 teams (1) 7221:12 tease (1) 7235:10 technical (3) 7408:2;7410:10; 7440:7 technically (2) 7332:5;7399:16 tedious (2) 7408:3;7410:10 telling (1)</p>	<p>7314:20 temperatures (1) 7341:10 temporary (1) 7392:18 ten (11) 7230:4;7290:4; 7309:23;7310:10; 7320:6,10;7340:15; 7364:18;7365:22; 7380:22;7403:10 tend (2) 7354:23;7355:16 Tennessee (13) 7224:8;7229:10; 7337:8;7346:3; 7361:5;7378:20,21, 24;7379:2,5; 7383:12,15,16 Tennessee's (1) 7378:14 tenth (1) 7373:12 ten-year (21) 7233:3;7234:17; 7239:6,8,16,24; 7241:20,21;7246:8, 9;7249:17,20,21; 7255:9,9,11;7256:5; 7258:16;7266:4; 7277:19;7395:22 term (1) 7285:5 terms (9) 7242:6;7269:10; 7274:5;7344:16; 7351:25;7415:7,8; 7416:7;7417:13 territory (1) 7363:11 test (4) 7250:5;7256:25; 7291:23;7418:4 testified (13) 7277:3;7284:22; 7285:13;7286:8; 7353:12;7375:19; 7391:3,7;7413:13; 7420:21;7434:19,22; 7443:12 testify (14) 7221:16;7225:9; 7226:7;7228:13; 7229:1,12;7230:2; 7285:17;7300:11; 7301:18;7311:17; 7335:23;7361:15; 7431:10 testifying (11) 7224:15;7232:1; 7334:5,5;7337:24; 7339:21,23;7361:3; 7390:19;7443:2,3</p>
	T			
	Table (96) 7232:22,23,25,25;			

<p>testimony (98) 7226:4;7228:17, 23;7231:20;7232:4, 6;7236:13;7243:13; 7254:7;7262:3,6; 7268:10;7270:18,19; 7274:10,11;7286:25; 7287:3;7288:3; 7294:13;7295:23; 7297:8;7299:24; 7300:1,5,14; 7301:23;7311:16; 7313:1;7314:19; 7317:2;7318:12,14, 15;7322:10,13; 7323:2,5,25;7327:8; 7332:11;7334:13; 7335:17;7336:22; 7337:4;7342:5; 7343:12,16;7345:24; 7346:1;7348:9; 7351:19;7354:15,17; 7356:3;7359:21; 7361:8;7362:19,23; 7365:20;7366:12; 7382:5;7387:10,15, 17;7389:2,14; 7390:21;7391:13; 7405:7,13;7408:11; 7414:14;7420:14,20; 7421:5;7422:2; 7423:14;7424:3,22; 7426:16;7427:8,12; 7431:16,17,23; 7433:14;7434:16; 7435:3,17,22,25; 7437:2;7439:19; 7441:7,17,22; 7443:20</p> <p>testing (2) 7250:6;7370:3</p> <p>tests (1) 7364:20</p> <p>Thanks (5) 7258:7;7335:4,5, 11;7383:25</p> <p>thee (1) 7427:11</p> <p>theirs (1) 7283:19</p> <p>theoretical (2) 7247:7,14</p> <p>theoretically (1) 7423:5</p> <p>Thereafter (17) 7266:24;7267:12; 7273:11;7283:10; 7290:16;7298:21; 7299:11;7300:7; 7311:24;7337:1; 7348:18;7359:23; 7381:21;7389:18; 7412:10;7436:16,21</p>	<p>thereby (1) 7366:25</p> <p>therefore (5) 7249:7;7343:2; 7347:4;7350:23; 7362:2</p> <p>therein (1) 7416:23</p> <p>thinking (3) 7230:16,17; 7423:9</p> <p>third (6) 7253:18;7308:5; 7318:12,22;7338:23; 7398:23</p> <p>Thompson (2) 7222:16,16</p> <p>though (12) 7227:12;7231:13; 7271:22;7289:8; 7294:10;7311:7; 7330:16;7336:12; 7350:8,15;7388:1; 7431:24</p> <p>thought (9) 7258:3;7260:15; 7294:24;7313:25; 7350:13;7373:7; 7413:17;7417:22; 7420:13</p> <p>thoughts (1) 7354:13</p> <p>thousand (1) 7356:22</p> <p>thousands (1) 7305:23</p> <p>three (17) 7253:5;7259:17; 7321:14,14;7340:3; 7341:14;7347:17; 7363:10,23;7364:11; 7365:18;7368:25; 7374:2;7375:25; 7376:4;7388:14; 7401:14</p> <p>throughout (4) 7229:6;7237:11; 7363:11;7376:18</p> <p>thumb (1) 7443:18</p> <p>THURSDAY (3) 7221:1,3;7334:1</p> <p>thus (7) 7342:9;7344:4; 7364:21;7367:19; 7371:23;7372:13; 7374:16</p> <p>tie (1) 7289:22</p> <p>ties (2) 7292:21;7294:7</p> <p>Tiffany (1) 7223:19</p>	<p>timeframe (5) 7241:8,12;7244:6; 7394:3;7443:17</p> <p>timeframes (1) 7239:17</p> <p>timely (2) 7271:14;7345:22</p> <p>times (6) 7272:1;7294:3; 7316:20;7320:13; 7350:23;7371:25</p> <p>time-wise (1) 7431:9</p> <p>tipping (1) 7396:16</p> <p>title (1) 7398:2</p> <p>titled (4) 7233:22;7261:4; 7273:18;7277:15</p> <p>tobacco (5) 7379:18,24; 7380:3,3,16</p> <p>tobacco-based (1) 7379:20</p> <p>today (39) 7221:14,15,16; 7223:6;7224:15; 7225:1,5,8;7226:4; 7227:11;7229:1,6,8, 22;7269:8;7270:9, 10,19;7303:7,15,17; 7307:15;7311:17; 7317:14;7324:21; 7325:12;7328:2,21; 7334:5,14;7337:20, 24;7346:2;7382:7; 7390:16;7420:22; 7433:19</p> <p>today's (1) 7299:24</p> <p>together (6) 7267:6;7313:18; 7335:23;7387:20; 7398:22;7431:3</p> <p>token (1) 7435:11</p> <p>told (3) 7269:25;7280:16; 7316:6</p> <p>Tom (3) 7224:14;7238:18; 7390:4</p> <p>tomorrow (17) 7227:15;7229:2, 23;7230:2;7268:4,5; 7270:1;7334:13,16; 7432:16,17,20; 7433:3,4,9,13; 7443:23</p> <p>tonight (3) 7268:1;7431:24;</p>	<p>7432:19</p> <p>tons (1) 7339:6</p> <p>took (11) 7229:16;7264:20; 7265:3;7309:24; 7310:11;7382:9; 7409:9;7425:16,24, 24,24</p> <p>tool (1) 7384:22</p> <p>top (12) 7237:22;7262:14; 7291:6,8,9;7293:3; 7313:1;7341:2; 7348:4;7368:13; 7374:14;7434:11</p> <p>topic (2) 7430:19;7440:20</p> <p>topics (1) 7433:1</p> <p>Tosi (91) 7224:13,13,14,17, 21;7225:22; 7228:22;7389:8,14, 20,25;7390:3,3,4,9, 16;7392:3,7,9; 7394:2,7,10,16; 7395:9,14;7397:3,6, 20,22;7398:4; 7399:2,4,7,19,24; 7400:1,21,22,25; 7401:5,11,15,17; 7402:20,23;7403:1, 3,15;7404:5,9,14,24; 7405:4,10;7406:2,5, 8,13;7407:7,9,17,18, 25;7408:14,16,21; 7409:12,15,17; 7411:23;7412:5,18; 7415:9;7416:9; 7419:10,12,16,25; 7424:9;7428:11; 7430:17,19;7431:2, 14;7432:3,14,18; 7433:1,25;7434:3,4</p> <p>Tosi's (4) 7406:19;7431:17, 20;7436:12</p> <p>toss (1) 7312:11</p> <p>total (19) 7264:24,25; 7273:19;7292:19; 7304:4,12,13; 7309:15;7315:4,9; 7319:14;7320:11; 7321:12;7326:22; 7366:6;7370:20; 7371:14;7375:8; 7408:16</p> <p>totalling (1) 7307:15</p>	<p>totally (2) 7412:4;7420:11</p> <p>touched (1) 7369:7</p> <p>towards (3) 7230:3;7352:21; 7420:6</p> <p>town (1) 7392:13</p> <p>tractor (1) 7353:4</p> <p>Trade (1) 7392:25</p> <p>traded (1) 7327:12</p> <p>traditional (1) 7272:20</p> <p>trailer (2) 7353:4,8</p> <p>transaction (3) 7330:12,14; 7421:9</p> <p>transactions (1) 7323:6</p> <p>transcript (14) 7230:18;7281:14; 7321:3;7370:10; 7411:19,21,24; 7434:25;7437:11; 7438:24;7439:1,14, 15;7443:13</p> <p>transcripts (3) 7225:18;7439:4, 17</p> <p>transcript's (1) 7439:7</p> <p>transformation (1) 7364:22</p> <p>translate (3) 7292:16;7293:19, 24</p> <p>translates (1) 7291:23</p> <p>translating (2) 7292:7;7293:9</p> <p>transmitted (1) 7330:15</p> <p>transport (1) 7372:5</p> <p>transportation (5) 7295:23;7366:10; 7372:3,7,24</p> <p>transportations (1) 7372:14</p> <p>travel (2) 7361:15;7387:20</p> <p>travelled (2) 7358:14;7387:23</p> <p>travels (2) 7353:9;7372:11</p> <p>treat (1) 7311:11</p> <p>treated (2)</p>
--	---	--	--	--

<p>7327:22;7410:21 treatment (4) 7311:8;7390:22; 7410:4,25 Tremaine (1) 7223:3 tremendous (4) 7367:5;7388:20, 21,21 trend (3) 7374:3,6,21 tried (2) 7288:1;7427:21 trouble (2) 7428:21;7431:2 troughs (1) 7339:16 true (11) 7286:13;7295:18; 7316:4;7322:17; 7323:17;7328:6; 7329:14,25;7369:15; 7389:9;7418:14 truly (1) 7365:3 truth (4) 7300:24;7336:10; 7360:7;7389:24 try (11) 7226:14;7228:6; 7244:23;7250:4; 7264:19;7339:18; 7384:23;7385:2; 7420:4,4;7443:3 trying (17) 7260:14;7268:23; 7274:16;7313:5; 7316:13;7325:17; 7354:10;7394:2; 7410:6,15;7416:13; 7417:4,11,14; 7418:10;7431:2; 7442:14 Tuesday (3) 7226:25;7230:7, 12 turn (24) 7226:7,17; 7232:20,22;7236:3; 7240:25;7245:13; 7246:14;7248:22; 7249:16;7252:21; 7253:17;7261:17; 7262:25;7263:17; 7265:16;7266:2; 7312:2,6;7347:3; 7357:8,13;7414:12; 7430:9 turned (1) 7357:22 turning (4) 7239:1;7242:13; 7369:13;7419:8</p>	<p>turns (1) 7300:19 twelve (3) 7301:18;7318:13; 7368:8 twice (1) 7365:23 two (61) 7225:20;7226:20; 7229:4,25;7230:24; 7232:2;7239:2; 7240:16,16;7241:25; 7242:7;7246:19; 7249:6,7;7259:22; 7263:23;7277:25; 7289:9;7302:11; 7303:20;7308:15; 7309:15;7321:21; 7327:9;7330:4; 7332:5;7335:22; 7338:12,13;7346:17; 7347:7;7364:1; 7365:9;7382:4; 7383:11;7396:7; 7397:9,9;7398:8; 7400:2,2,6;7408:22, 23;7411:20; 7415:25;7418:1; 7420:14,15,21; 7422:14;7426:24; 7427:11;7433:1,6; 7434:22;7437:5,6; 7441:5;7442:9; 7443:9 two-month (1) 7263:21 type (7) 7284:22;7347:15; 7357:20;7359:9; 7411:17,18;7426:17 typically (2) 7227:13;7230:17 typo (2) 7308:1;7338:17</p>	<p>13;7289:5;7293:16, 22;7297:9;7300:22; 7303:10,12,16; 7306:1;7321:18,22, 25;7324:6,8,15; 7327:22;7336:9; 7344:23;7345:14,23; 7352:8;7359:2; 7360:6;7375:12; 7376:1;7385:22; 7386:22;7389:23; 7410:21;7421:23; 7423:11;7427:5,5, 25;7428:4;7434:23; 7435:1,9;7438:5 undercutting (1) 7308:19 underlying (2) 7274:11;7288:20 understandable (1) 7344:24 understood (8) 7366:5;7388:23; 7401:15;7412:25; 7413:3;7417:15; 7423:15;7430:10 undervalues (1) 7326:14 unfortunately (1) 7275:19 unhappily (1) 7436:6 uniformly (1) 7435:10 unique (3) 7379:16;7380:2,6 unit (2) 7358:9,10 United (17) 7221:6,8,11; 7231:8;7346:22; 7347:21;7361:13; 7386:7;7394:24; 7395:18;7405:17,25; 7406:7;7434:10,13; 7436:7;7440:7 University (8) 7302:9,9;7338:3, 14;7339:25;7363:9; 7392:14,16 unless (4) 7287:18;7362:7; 7377:4;7389:10 unqualifiedly (1) 7382:8 unwilling (1) 7287:5 up (58) 7221:17;7225:11; 7226:1,12;7228:11; 7234:7;7236:4; 7238:15;7242:16; 7243:21;7248:1,16;</p>	<p>7249:14,15;7252:21; 7259:23;7261:19; 7265:4;7272:23; 7278:24;7294:4; 7296:18;7297:5; 7308:5;7310:4; 7311:10;7312:11; 7315:21;7316:1,11; 7335:21,22;7345:18, 21;7350:9;7366:7,8; 7371:14;7372:23; 7376:16;7378:12; 7385:6;7388:16; 7395:5;7410:8; 7414:15;7415:25; 7419:18,20;7425:9; 7430:23;7432:18,22, 23;7435:1;7439:1; 7442:18;7443:25 uphill (1) 7341:23 upon (4) 7233:19;7251:15; 7258:21;7331:8 Upper (2) 7222:1;7393:23 upward (3) 7374:3,6,21 USA (1) 7302:3 usage (1) 7316:24 US-Canadian (1) 7392:25 USDA (28) 7221:20,22; 7222:2,3,5;7233:14; 7234:23;7235:20; 7286:1;7287:18,19; 7299:5;7311:15; 7323:24;7325:6; 7354:16;7355:8,10; 7356:6;7358:20; 7383:25;7426:19; 7427:10;7428:15; 7434:21;7439:1,3; 7443:10 USDA's (1) 7437:12 USDSS (1) 7284:22 use (25) 7233:9,9,14,17; 7235:24;7237:12; 7243:7,9;7248:8; 7281:9;7292:2; 7294:3,19;7305:1; 7308:25;7314:18; 7332:14,23,24; 7338:24;7349:16; 7352:25;7353:7,21; 7443:22 used (42)</p>	<p>7233:11,13; 7235:20,23;7236:2, 8,9,10,12;7237:19; 7239:17;7241:1,12; 7242:3,9;7244:14; 7246:1;7247:8,10, 13,15;7250:21; 7251:13;7252:2,12, 16,18;7264:9; 7281:7;7288:10; 7295:14;7309:4; 7339:9,13,15; 7342:2;7360:2; 7416:11;7435:12,13, 16;7441:19 uses (2) 7264:9;7309:11 using (36) 7234:22;7235:14; 7239:11;7241:12; 7243:14,16,20; 7247:3;7248:2,3,4, 20,23;7250:23,25, 25;7251:2,5,8,9,10, 25;7255:12,13,15, 20;7256:5,6;7263:8; 7277:21,22;7282:23; 7293:11;7294:10; 7308:17;7313:14 usually (4) 7316:17;7325:22; 7415:14;7443:9 utilization (6) 7264:23,24,25; 7273:22;7277:22; 7316:8 utilized (3) 7287:4,6;7341:19 utilizes (1) 7368:15 Utilizing (1) 7371:19</p>
U				
V				
<p>vagaries (1) 7418:14 Valley (1) 7303:24 valuable (2) 7228:18;7231:16 valuation (6) 7247:1,19,22; 7249:7,22;7255:12 value (89) 7238:22;7246:2, 23;7247:15;7248:4; 7249:8;7250:15,15, 16;7251:6,7,8; 7264:19;7292:3,10, 24,25;7293:3,6,11, 13,15,15,18;7294:2; 7295:9;7305:10;</p>				

7307:15,16,22; 7308:11,12,13; 7310:25;7313:3; 7325:17,18,22; 7327:9,12,16; 7328:5,8,21,23,25, 25;7329:10,15,16, 18,19,22;7343:1; 7375:11;7398:16,20; 7399:6,20;7400:5,5; 7409:13;7414:20,20, 21,23;7415:1,18,19; 7416:2,11,17,25,25; 7417:7,12;7422:14, 20,20;7423:4,10,10, 18,23,24,25;7424:4, 6;7429:22	7354:5 Veteran (1) 7392:16 Veterans (3) 7224:18,19; 7393:11 Veteran's (1) 7406:14 Veterinarian (1) 7354:6 Veterinary (3) 7339:24,25; 7354:11 Vetne (1) 7272:1 VFW (1) 7392:17 via (1) 7225:16 vibrant (1) 7340:23 Victor (2) 7223:22;7279:25 view (7) 7227:17;7231:14; 7242:7;7296:8; 7427:6,8,10 violating (1) 7233:16 violation (4) 7395:1,6,19; 7405:23 Virginia (2) 7352:16,21 visualize (1) 7234:10 vital (1) 7361:11 Vlsack (1) 7334:18 volume (18) 7305:8;7307:12; 7311:7;7411:12; 7417:1,2,5,5,7,8,9, 11,13,14;7419:1,9; 7420:18;7423:12 volumes (5) 7305:4;7367:1; 7384:13;7420:16; 7426:8 volunteer (2) 7396:4,19 vote (9) 7340:3;7385:18; 7386:2,4,7,8,9,23,25 vote's (1) 7386:13 Vulin (47) 7223:8,8;7226:8; 7231:24;7232:8,13, 13,16;7237:7,8; 7240:20;7245:12; 7249:11,12;7252:19;	7253:1;7257:2,5; 7258:8,10;7259:8, 15;7261:2,3,14,15, 25;7262:2,5,8,12,19, 23,24;7265:15; 7267:4,14;7271:11, 22,23;7297:7,11,18, 20;7298:11,12,23	7327:9;7391:13; 7397:14 WDairy (2) 7337:22;7338:9 wear (1) 7303:8 weather (1) 7385:4 web (1) 7437:12 website (7) 7225:19;7283:23; 7299:6;7389:1; 7439:1,4,14 Wednesday (2) 7230:11,12 week (4) 7225:20;7229:10; 7230:3;7270:11 weekly (2) 7235:14;7241:17 weeks (1) 7225:20 weighted (9) 7238:13;7264:22; 7265:2,4,5,9,20; 7266:1;7281:8 welcome (11) 7221:14;7225:6, 23;7231:2;7297:18; 7300:9;7311:15; 7325:6;7390:9; 7412:18;7443:19 weren't (4) 7231:21;7260:14; 7395:25;7439:3 West (1) 7365:8 western (22) 7233:15;7234:24, 24,24;7235:3,13,16, 25;7236:14;7237:17, 22,25;7238:4; 7241:10,10,11,13,16, 18;7292:2;7295:8,20 westward (1) 7365:1 wet (1) 7385:5 what's (12) 7226:18;7244:23; 7253:22;7318:24; 7319:17;7394:22; 7395:16;7408:4; 7411:23;7413:23; 7425:14,18 whereas (2) 7234:6;7239:15 Whereupon (6) 7261:1;7265:13; 7290:6;7333:20; 7403:12;7444:3 wherever (1)	7352:24 whey (62) 7234:25;7235:13, 25;7236:17;7238:4, 6,17;7239:10; 7241:10,16,17; 7246:21,22,23,25; 7247:3,16,19,22; 7248:1,3,4,13; 7249:8,13,20,23; 7250:17;7251:1,8, 12,19,21,25; 7252:11,16;7254:1; 7255:12,21,24; 7256:2,5,10;7257:9, 11,17,22;7278:1,3,8; 7279:7,7,13,14,15, 16,22;7280:8; 7281:20,25;7282:24; 7283:1 whichever (1) 7312:19 WHITCOMB (2) 7334:8,11 whole (15) 7237:13;7243:2; 7269:17;7355:24; 7358:17;7385:8; 7387:19;7418:18,20; 7437:3;7438:18; 7442:11;7443:15,16, 16 whose (2) 7254:10;7433:6 wide (1) 7369:6 wildly (1) 7327:1 William (2) 7221:21;7223:10 Williams (57) 7224:9,9,10; 7229:5;7335:19,20, 21;7336:1,3,6,11,14, 14,17,18,20,22; 7337:4,13,19,21; 7338:7,22;7341:6,8, 10;7344:17,19; 7345:25;7346:1; 7348:10,14,23; 7349:3;7351:3,8; 7356:4,6;7357:1,6, 15,18;7358:2,4,7,9, 12,13,16,25;7359:6, 11,12,16;7361:6; 7387:20;7388:24 Williams' (1) 7347:24 W-I-L-L-I-A-M-S (1) 7336:15 willing (5) 7228:15;7270:16; 7275:17;7287:5;
		W		
		wade (1) 7442:7 wait (7) 7230:17;7321:2; 7385:5;7388:1; 7397:19,19,19 walk (13) 7242:15;7245:15; 7246:16;7248:8,25; 7250:10;7252:22; 7253:19;7258:3; 7263:2,19;7271:21; 7297:3 walked (3) 7250:13;7385:25; 7408:11 walking (1) 7334:20 Walter (1) 7334:10 wants (1) 7435:1 Washington (6) 7221:24;7223:3; 7288:22;7346:14; 7392:22;7414:8 watching (1) 7388:18 water (6) 7304:2;7339:13, 14,15;7353:23; 7438:21 Watkinsville (2) 7338:1;7340:2 way (39) 7243:2;7254:18; 7274:17;7283:16; 7293:25;7305:17; 7323:10,11;7325:23; 7332:4;7351:16; 7357:6;7358:14; 7370:9,12;7373:6; 7380:4;7384:10,24; 7386:24;7388:23; 7389:11;7396:16; 7404:23;7405:20; 7409:1;7413:5,20; 7415:23;7421:1,4; 7423:2,6,8;7424:9; 7426:12;7430:23; 7434:14;7440:14 ways (3)		

7388:1 willingness (1) 7339:18 Winchester (1) 7364:13 window (1) 7433:6 win-win (1) 7310:20 wipe (1) 7375:11 wisdom (2) 7231:12,13 wish (8) 7266:18;7272:1; 7298:16;7311:20; 7384:24;7387:10; 7407:7;7412:5 wishes (2) 7267:2;7312:20 within (16) 7234:9;7239:15; 7285:16;7291:9,10, 19;7293:4;7307:23; 7311:6,7;7323:15; 7327:3;7386:3; 7425:21;7426:1; 7435:23 without (12) 7228:2;7233:16; 7254:14;7268:11,16; 7269:1;7272:6; 7401:3,13;7430:9,9; 7441:23 witness (19) 7224:18;7227:20; 7262:4;7269:7,8; 7274:23;7276:6,11, 12;7299:22;7336:6; 7348:20;7359:18,20; 7387:18;7389:9; 7434:18;7441:18; 7443:15 witnesses (10) 7225:2,12; 7226:21;7228:20,21, 25;7274:7;7433:6; 7434:15;7441:15 won (8) 7309:7,9,11,11,12, 15;7310:13;7382:17 wonderful (1) 7302:11 wondering (3) 7349:24;7417:20; 7420:11 word (22) 7302:24;7325:1; 7336:17;7377:17; 7378:17;7391:21,22, 22,25;7392:5; 7394:12;7395:6; 7398:17;7399:22;	7401:25;7402:13,14; 7404:9,10,12; 7405:2;7406:7 wording (1) 7419:14 words (24) 7342:11;7373:10; 7376:16;7397:6; 7398:4,5,19;7399:4, 10,14;7401:24; 7402:1,1,16;7404:1, 4,6,8,11;7405:21; 7406:4;7415:1; 7416:11;7417:2 work (33) 7221:8;7222:21, 25;7226:14;7230:8; 7231:16;7268:21; 7273:4,5;7275:3,20; 7290:15;7294:18; 7296:6,8;7299:17; 7351:16,24;7364:15; 7366:13,14;7367:3; 7368:23;7369:4; 7384:3;7392:21; 7396:14,19;7414:17; 7425:12;7428:6; 7434:21;7441:8 worked (9) 7269:21;7302:5; 7361:5;7363:10,15, 22;7364:18;7392:22, 24 working (12) 7259:15;7275:4; 7285:12;7318:13; 7341:22;7356:8,9; 7364:9;7365:18; 7368:4;7421:19; 7424:13 works (4) 7229:7;7340:11; 7351:16;7414:14 world (2) 7228:9;7260:20 worse (2) 7268:4,4 worth (3) 7308:11;7326:15; 7329:2 Wow (1) 7372:22 WPC (36) 7235:16;7238:22; 7241:11,18;7249:9, 14,21,25;7250:18; 7251:3,9,9,13,21,22; 7252:2,17;7254:2,2; 7255:15,25;7256:4, 4,6,11;7257:10,11, 23;7278:2,9,12; 7279:23;7282:25; 7283:2;7294:15;	7295:21 Wright (1) 7223:3 write (3) 7297:4;7336:17; 7398:18 Writer (1) 7222:6 writes (1) 7357:7 writing (1) 7393:17 written (11) 7232:17;7262:6; 7297:7;7301:13; 7345:24;7346:1; 7404:3,23;7415:10, 11;7417:6 wrong (11) 7244:24;7280:20; 7309:5;7347:9,10; 7359:1,7;7370:10; 7384:7;7385:4; 7418:17 wrote (2) 7280:19;7381:14 wwamsusdagov/live (1) 7225:17 wwwmy-dairymancom (1) 7389:3	7393:3,5;7405:14; 7414:1;7418:12; 7439:11;7440:22 years' (1) 7371:19 year's (1) 7385:8 yellow (5) 7408:19,23; 7409:9;7410:2; 7411:23 yep (4) 7304:9;7309:23; 7376:6;7389:16 yesterday (11) 7224:17;7226:3; 7231:21;7232:2,17; 7268:10;7317:14,15; 7322:10;7332:12; 7406:14 yield (12) 7245:23;7291:19; 7292:5,15;7293:5, 12,18,23;7294:3,5,6; 7299:23 yielded (1) 7371:21 York (5) 7396:8,9;7426:19, 23;7429:17 York-New (1) 7426:23 young (3) 7338:10;7368:4, 19	7222:13,19,23; 7232:22,23,25; 7233:10,12,20; 7234:14;7236:20; 7237:10,16,22,23; 7238:6;7240:22,23; 7241:21;7242:9,21, 22,23;7243:5; 7250:10;7254:1,17; 7257:15;7267:9; 7274:7;7281:5; 7301:24;7304:3,12, 13;7305:4,9,10; 7306:11;7307:7; 7313:7,9,11,22; 7314:2,22;7315:3,5, 15,17;7316:9,14; 7318:10;7323:8; 7324:6,10,11; 7325:10;7326:25; 7327:5;7343:22; 7347:6;7351:10; 7354:21;7355:15; 7375:9,9;7398:15, 16;7399:20;7400:4; 7409:10;7416:19,25; 7417:19;7420:10,18; 7423:13,24;7424:6, 13,14,17;7433:16 1.03 (1) 7294:6 1.12 (1) 7367:16 1.17 (3) 7293:21,23; 7294:3 1.2 (3) 7341:3,5;7367:12 1.211 (2) 7292:15;7294:5 1.383 (3) 7293:5,8,12 1.572 (2) 7293:18,23 1.7 (2) 7340:25;7344:11 1:00 (1) 7433:7 1:04 (1) 7333:11 1:05 (1) 7333:19 1:30 (1) 7227:9 1:35 (1) 7333:19 1:37 (1) 7334:2 10 (8) 7292:18;7304:9; 7320:1;7327:3; 7341:2;7347:2; 7395:23;7403:11	
		X			
		X-out (1) 7261:20			
		Y			
		ya'll (3) 7359:16;7396:15, 16 year (23) 7309:16,21,24; 7310:11;7315:7,7; 7319:19;7320:13; 7327:3,3;7344:4,5; 7355:7,10,13,14,16, 21,25;7375:5,5; 7380:20,20 yearly (4) 7239:5;7249:17; 7320:10;7370:1 year-round (1) 7349:12 years (26) 7239:7;7241:7; 7301:17,18,19; 7302:3,7,10; 7305:22;7318:13; 7323:9;7340:3; 7350:3,6;7363:11, 22;7368:21; 7386:21;7392:11;	Zebra (1) 7283:2 zone (4) 7259:1,3,5,5 0 0031 (1) 7291:21 005 (1) 7372:8 0224 (2) 7295:2,17 0242 (1) 7292:6 06 (1) 7295:15 07 (1) 7295:15 09 (1) 7334:19 1 1 (84)		
			Z		

<p>10:20 (1) 7260:10 10:37 (3) 7260:25,25; 7261:2 100 (5) 7314:21,24,24; 7315:14;7316:2 1051.11 (5) 7397:25;7398:5; 7404:21;7405:6; 7427:25 1051.17 (6) 7396:25;7397:15; 7398:10;7399:11,15; 7408:22 1051.17e (1) 7428:23 1051.17f (3) 7404:2,20;7405:5 1051.31 (3) 7401:24;7409:17; 7424:14 1051.60 (15) 7398:19;7399:5, 13,21;7400:1,8,13, 17,21;7401:1,3,12; 7404:14;7409:13; 7414:23 1051.73 (5) 7402:7,12,15; 7403:21;7404:16 1051.73f (1) 7402:6 11 (3) 7395:23;7427:25; 7428:5 11:00 (1) 7433:7 11:44 (2) 7290:5,5 11:45 (1) 7290:7 1141 (1) 7337:22 12 (4) 7221:1,2;7241:19; 7334:1 12.2 (2) 7342:8;7365:25 12.54 (1) 7293:10 123,000 (1) 7344:8 12th (1) 7367:11 13 (7) 7242:14,23,25; 7243:7;7343:21; 7346:24;7347:5 13.5 (1) 7342:6 14 (2)</p>	<p>7363:21;7439:11 146 (1) 7337:14 15 (17) 7242:24,25; 7260:19,25;7266:8; 7294:14;7295:13; 7296:23;7304:4,10; 7309:15,17,20; 7319:24;7371:24; 7432:7;7440:22 16 (2) 7245:13;7436:25 16.78 (1) 7291:15 160 (15) 7231:22;7232:5, 18;7266:17,18,21, 22,22,24;7288:7; 7289:3;7294:13; 7295:4;7296:22; 7297:1 161 (19) 7231:22;7232:5,7; 7261:6;7266:17; 7267:1,5,10,11,12; 7274:2;7275:1; 7279:18;7281:1; 7283:25;7284:8; 7288:13,14;7298:3 161,000 (1) 7344:9 162 (8) 7273:10,11,17; 7276:15;7280:13,22; 7298:6;7299:2 163 (12) 7283:8,9,10,13,15; 7284:10,11;7288:11; 7299:1,9,10,11 164 (9) 7290:14,15,16,19, 23;7298:13,19,19,21 1641 (1) 7338:1 165 (9) 7300:2,6,7,13; 7311:19,22,23,24; 7333:10 166 (8) 7336:23;7337:1, 15,16;7348:14,16, 17,18 167 (8) 7359:22,22,23; 7381:15,17,19,19,21 168 (14) 7389:14,18,20; 7390:11;7407:21; 7411:15,21;7412:6, 8,8,10;7431:20; 7436:11,12 169 (5)</p>	<p>7436:12,16; 7438:9;7443:17,20 16-member (1) 7340:14 17 (6) 7344:11;7415:25; 7425:20;7427:22,24; 7428:3 170 (6) 7436:18,20,21; 7437:4;7443:17,20 176 (1) 7361:2 17e (2) 7414:17,17 18 (18) 7246:6,8,9; 7274:20;7275:16; 7280:5,18;7281:21, 22;7283:3;7284:18; 7304:12,12;7315:4, 9;7339:2;7364:1; 7368:21 180 (1) 7281:16 1800 (2) 7338:10;7360:23 1827 (1) 7338:10 19 (7) 7246:15;7281:23; 7282:7;7304:6; 7319:25;7320:23; 7326:21 1920's (1) 7303:12 1933 (1) 7386:15 1941 (1) 7303:13 1958 (2) 7338:7,25 1967 (9) 7301:21;7305:18; 7306:3,7,10,11,11, 18,24 1975 (1) 7338:6 1977 (2) 7306:18,24 1978 (5) 7306:15;7307:1; 7338:6,6;7363:9 1990 (1) 7393:8 1993 (3) 7306:25;7307:1,9 1995 (6) 7307:3,10,12; 7328:18,22;7342:6 1998 (1) 7364:9 1999 (1)</p>	<p>7379:19 19th (1) 7378:23 1st (1) 7388:14 2 2 (47) 7223:1,5;7233:5; 7234:20;7237:18; 7240:24,24;7241:22; 7242:11;7257:14; 7261:4;7263:21; 7264:5,6,15,20,21; 7265:4;7266:8,9; 7273:19;7274:10; 7276:8,16,24; 7277:3,17;7280:23; 7282:12,21;7288:25; 7289:5;7290:12; 7298:14;7302:14,23; 7318:22;7324:6,10; 7355:9,15;7394:13; 7405:13;7427:5,5,6, 7433:16 2.09 (1) 7240:13 2.18 (1) 7236:15 2.29 (1) 7281:22 2.44 (3) 7236:16;7292:3,5 2.5863 (1) 7256:6 2.7 (3) 7342:9;7366:2,4 2.99 (1) 7293:20 20 (7) 7327:3;7363:22; 7368:7;7382:8; 7393:3;7405:14; 7418:2 20.12 (1) 7291:15 20.98 (1) 7292:7 2000 (1) 7395:23 2001 (4) 7436:9,13,24; 7437:2 2002 (1) 7338:19 2004 (2) 7436:24,25 2005 (9) 7233:2;7234:15; 7237:15;7239:20; 7243:15;7244:3; 7245:20;7338:14;</p>	<p>7367:21 2007 (6) 7338:15;7370:4; 7371:17;7372:4,21; 7374:2 2007/2008 (1) 7286:24 2008 (11) 7244:1,2,3,5,8; 7245:19;7248:18; 7253:14;7255:14; 7263:7;7295:15 2010 (3) 7374:3;7392:12; 7395:24 2011 (2) 7309:14;7364:9 2012 (5) 7248:21;7302:1; 7338:17,19,22 2013 (2) 7309:14;7380:21 2014 (40) 7233:3;7234:16; 7239:20;7273:19,23; 7277:21,22,23; 7278:2,9,21,23; 7279:11,15,16; 7280:4,24;7281:20; 7282:1,11,12,14,20, 23;7283:4,24; 7284:7,11;7339:6; 7342:6,8;7355:6,10; 7366:1;7370:6,8; 7371:1,17;7372:21; 7380:21 2015 (7) 7221:1,2;7283:24; 7286:24;7334:1; 7344:13;7380:20 2017 (1) 7375:5 2024 (4) 7344:5,8;7375:5, 14 21 (2) 7246:13;7302:11 210 (1) 7281:15 22 (6) 7248:22;7249:1, 25;7343:23; 7346:25;7347:6 22.53 (1) 7284:12 22.66 (1) 7284:9 230 (1) 7351:14 2306 (2) 7295:11,18 24 (8) 7249:16;7279:12,</p>
---	---	--	---	---

18;7282:22,23; 7339:2;7343:24; 7347:8 24th (1) 7341:1 25 (5) 7235:25;7261:18, 25;7262:16,17 25th (1) 7240:9 26 (5) 7262:16;7302:11; 7343:24;7346:25; 7347:7 26th (1) 7240:8 27 (3) 7262:16;7302:7; 7338:12 27th (2) 7367:12,16 28 (6) 7259:20;7262:16; 7301:17;7302:10; 7323:9;7332:9 28.72 (1) 7291:25 29 (1) 7262:16 29,000 (1) 7339:6	3.587 (1) 7264:8 3:00 (2) 7382:25,25 3:02 (1) 7383:1 3:20 (4) 7228:14;7268:13; 7270:23,24 3:30 (1) 7270:22 3:45 (1) 7403:10 3:46 (1) 7403:13 30 (3) 7222:2;7262:16; 7342:10 30,000 (1) 7331:3 30.36 (3) 7278:3,4,8 30650 (1) 7337:23 30677 (1) 7338:2 30-minute (1) 7333:14 30th (1) 7378:22 31 (4) 7262:16;7296:1; 7315:22;7392:11 3110 (2) 7294:16;7297:15 3125 (5) 7294:17;7296:2,3, 4;7297:15 32 (1) 7262:16 33 (2) 7262:17;7363:11 34 (10) 7235:14,16; 7241:18;7246:22; 7250:7;7252:20; 7254:2,2;7257:10; 7294:15 35 (3) 7249:24;7252:21; 7314:17 36 (7) 7221:4;7252:21; 7255:12;7314:17; 7315:16,20;7389:5 3600 (1) 7338:11 37 (3) 7252:21;7253:2, 10 375 (1) 7343:25 39 (2)	7284:1,6 4 4 (20) 7234:7;7236:4,7; 7246:14,18;7259:18, 19;7260:1;7343:21; 7347:5,5;7348:4; 7378:13,16;7403:15; 7404:7;7408:10; 7431:11,21,23 4.07 (1) 7240:12 4.19 (1) 7293:9 4.4 (1) 7344:12 4.5 (1) 7366:5 4:56 (1) 7444:1 40 (9) 7235:3;7241:10, 14;7253:18,21; 7256:13,23;7257:5; 7364:11 400 (2) 7338:9;7372:12 40359 (1) 7360:24 40503 (1) 7361:2 41 (4) 7257:25;7258:9; 7283:5,5 412 (3) 7371:18,21; 7372:4 41st (1) 7378:24 42 (8) 7255:8;7257:25; 7258:9,17;7259:23; 7277:19,24;7281:13 42nd (1) 7367:17 43 (6) 7261:5,10; 7262:18,25;7263:4; 7279:4 43-day (2) 7393:8,12 45 (7) 7304:2;7314:21; 7315:2,9,14;7335:6; 7368:21 46 (2) 7263:18,18 46-page (1) 7348:11 47 (1) 7283:1	48 (2) 7227:14;7259:3 49 (2) 7265:16;7282:18 4a (3) 7246:5;7254:11; 7403:23 4b (2) 7235:25;7254:12 5 5 (32) 7243:12;7250:2; 7259:9,11,17,18,19, 24;7260:6,12; 7261:4,9,16,17; 7262:8;7263:1; 7266:11;7267:5; 7269:16;7294:13; 7296:21;7297:7; 7308:6;7317:2; 7322:8;7338:1; 7364:12;7373:2,9, 13;7375:22;7376:10 5.6 (3) 7370:23;7371:24; 7372:1 5.8 (1) 7344:13 5.9 (1) 7247:11 5:00 (1) 7271:7 5:30 (2) 7271:18,20 50 (11) 7272:10;7276:13; 7292:9;7301:19; 7305:22;7359:7; 7364:11;7380:9,15, 15,24 50,000 (1) 7372:8 50/50 (1) 7380:9 500 (1) 7354:22 501c3 (1) 7368:6 51 (8) 7262:18;7266:2; 7267:9;7278:22; 7279:1,2;7282:13,16 52 (2) 7278:23;7279:6 540 (1) 7346:20 55 (2) 7255:15;7315:21 55.5 (1) 7277:20 56 (1)	7304:11 562 (2) 7370:15,18 562,061,145 (2) 7370:8,10 5700 (1) 7319:11 58 (1) 7266:7 5th (1) 7237:9 6 6 (19) 7236:7;7239:1; 7241:19;7250:2,7,9; 7253:4,4,8;7258:13, 15;7261:7;7262:9; 7280:19;7282:15; 7310:3;7313:1; 7374:14;7376:13 6:00 (1) 7271:18 60 (10) 7246:11;7272:10; 7280:6,18,18; 7292:20;7347:3; 7409:12;7416:18; 7422:15 60a1 (4) 7416:22,23; 7417:13,17 60's (1) 7414:6 63 (1) 7236:16 66 (2) 7282:2,3 67 (1) 7326:11 68 (1) 7259:1 6th (2) 7424:15,22 7 7 (3) 7376:11;7384:5,6 7.5 (1) 7344:1 7:00 (2) 7268:1;7271:13 70 (1) 7307:2 71 (1) 7424:25 718 (1) 7367:10 72-stall (1) 7338:22 73 (1)
---	--	---	--	--

<p>7414:24 75 (5) 7304:6,8,9; 7319:25;7320:17 75,000 (1) 7344:2 750 (1) 7378:21 76.5 (1) 7365:23 77.81 (1) 7278:11</p>	<p>7418:4 99 (2) 7291:20;7292:5 9th (2) 7424:16,23</p>			
8				
<p>8,240 (1) 7372:5 8,240,000 (1) 7372:13 8.685 (5) 7243:23;7244:19; 7245:10;7256:9; 7291:23 8.7 (3) 7244:18,22; 7245:10 801 (2) 7437:17;7442:11 801d2 (7) 7226:22;7434:23; 7435:1,6;7437:16, 23;7442:20 801dis (1) 7435:13 85 (3) 7249:21;7319:20; 7323:12 86 (1) 7294:7 87.815 (1) 7256:9 88 (1) 7367:18</p>				
9				
<p>9 (5) 7247:12;7294:3; 7315:10,15;7403:25 9.5 (2) 7342:6;7366:2 9:01 (1) 7221:3 90 (2) 7319:20;7338:8 900.8 (1) 7440:4 91 (5) 7315:21;7316:1, 10,16,18 95 (1) 7317:16 96.5 (1)</p>				