

Page 1 1 IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA THE FIRST JUDICIAL CIRCUIT 2 JOHN ALLEN, et al.,) 3) 4 Plaintiffs,) 5) 6) Case No. 2008 CA 001762 7 vs.) 8) Division No. B 9) 10) 11) 12 MONSANTO COMPANY, et al.,) 13) 14 Defendants.) 15 16 17 18 19 20 VIDEO DEPOSITION OF ROBERT G. KALEY 21 Taken on behalf of the Plaintiffs 22 23 24 25 26 July 19, 2011 27 28 29 30 DIANNA C. HARK, RPR, CSR 31 CCR MO. LICENSE NO. 1079 32 33 34 35 36 PohlmanUSA Court Reporting (877)421-0099 37 2	Page 3 1 IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA THE FIRST JUDICIAL CIRCUIT 2 JOHN ALLEN, et al.,) 3) 4 Plaintiffs,) 5) 6) Case No. 2008 CA 001762 7 vs.) 8) Division No. B 9 MONSANTO COMPANY, et al.,) 10) 11 Defendants.) 12 13 14 15 16 17 18 19 20 VIDEO DEPOSITION OF ROBERT G. KALEY, produced, 21 sworn, and examined on behalf of the Plaintiffs on July 22 19, 2011, between the hours of ten o'clock in the 23 forenoon and two-thirty in the afternoon of that day, at 24 the Law Firm of Husch Blackwell LLP, 190 Carondelet 25 Plaza, Suite 600, St. Louis, Missouri 63105, before 26 DIANNA C. HARK, a Certified Court Reporter and a Notary 27 Public within and for the State of Missouri. 28 29 30 31 32 33 34 35 36 A P P E A R A N C E S 37 38 The Plaintiffs were represented by Donald W. Stewart 39 of the law firm of Stewart & Stewart, PC, 1000 Quintard 40 Avenue, Suite 500, Anniston, Alabama 36201. 41 42 The Defendants were represented by Charles E. 43 Merrill of the law firm of Husch Blackwell LLP, 190 44 Carondelet Plaza, Suite 600, St. Louis, Missouri 63105. 45 46 Also present: Bo Kriegshauser, Video Technician
Page 2 1 EXAMINATION INDEX 2 PAGE 3 ROBERT G. KALEY 4 5 DIRECT BY MR. STEWART 5 6 7 8 EXHIBIT INDEX 9 Plaintiffs' Exhibit 10 1 Second Amended Notice of Deposition 6 11 3 Defendants' Supplemental Objections and 61 12 Responses 13 14 15 16 17 18 19 20 21 22 23 24 Exhibits were received by the court reporter 25 to be returned to Mr. Stewart. Signature was not waived. PohlmanUSA Court Reporting (877)421-0099 3	Page 4 1 IT IS HEREBY STIPULATED AND AGREED by and between 2 Counsel for the Plaintiffs and Counsel for the 3 Defendants, that the deposition of ROBERT G. KALEY, may 4 be taken in shorthand by DIANNA C. HARK, Registered 5 Professional Reporter, Certified Court Reporter, 6 Certified Shorthand Reporter, and Notary Public, and 7 afterwards transcribed into typewriting. And the 8 Witness read and signed the transcript. 9 10 o-o-o 11 12 ROBERT G. KALEY, 13 of lawful age, being produced, sworn, and examined on 14 behalf of the Plaintiffs, and after responding "I do" to 15 the oath administered by the court reporter, deposes and 16 says: 17 18 THE VIDEO TECHNICIAN: We are on the record. 19 This is the videotaped deposition of Robert G. Kaley. 20 Today's date is July 19th, 2011, and the time is 21 10:08 a.m. 22 This is the case of John Allen, et al. versus 23 Monsanto Company, et al. The case number is 2008 CA 24 001762, pending in the First Judicial Circuit Court in 25 and for Escambia County in the state of Florida.

Page 5 1 Counselors, will you please state your 2 appearance? 3 MR. STEWART: I'm Donald Stewart and one of the 4 attorneys representing the plaintiffs in this case. 5 MR. MERRILL: And I'm Charlie Merrill. I 6 represent the defendants in the case and the witness. 7 THE VIDEO TECHNICIAN: Will the court reporter 8 please administer the oath? 9 [The Witness was sworn in at this time.] 10 11 DIRECT EXAMINATION 12 QUESTIONS BY MR. STEWART: 13 Q. Would you please state your name for the 14 record? 15 A. Yes, Robert George Kaley, II. 16 Q. And is it Mr. Kaley or Dr. Kaley? 17 A. It's doctor. 18 Q. Dr. Kaley, I wanted to ask you, if you'll take 19 a look at what we've marked as Plaintiff's Exhibit 1 -- 20 MR. STEWART: And I'll give you a copy, 21 Charlie. 22 Q. (By Mr. Stewart) -- and say to you this is the 23 Second Amended Notice of your deposition, and ask you if 24 you'll take a look at that. 25 A. Yes, I've seen it.	Page 7 1 A. That's correct. 2 Q. And you moved to Solutia when that company was 3 spun off from Monsanto? 4 A. Yes, I did. 5 Q. And are you familiar with the records that they 6 maintain, Monsanto maintained? 7 A. Just generally from my days there. 8 Q. In connection with PCBs? 9 A. Yes. 10 Q. Did you not serve, when you were employed at 11 Monsanto, as a steward of PCBs, or the information about 12 PCBs? 13 A. Some of the information, yes, I did. 14 Q. Okay. When you say "some of the information," 15 can you tell us what that was? 16 A. Well, primarily information related to 17 regulatory affairs, manufacturing, MSDS sheets, that 18 kind of material. 19 Q. Now, were you familiar at the time that you 20 worked with Monsanto, and when did you go with Solutia, 21 so we can get that time frame? 22 A. Solutia was formed September of 1997. 23 Q. All right. So, you worked for Monsanto up 24 until you went with Solutia in, in September of '97? 25 A. Yes, I did.
Page 6 1 [Plaintiff's Exhibit No. 1 was introduced.] 2 Q. (By Mr. Stewart) And when did you see that 3 notice? 4 A. Probably about a month ago. 5 Q. And when you looked at the, this deposition 6 notice, were you informed that you would be a witness 7 here for us today? 8 A. Yes, I was. 9 Q. Okay. And do you understand that those items 10 that we asked you to be able to testify about begin on 11 page two? 12 A. Yes, I understand. 13 Q. Okay. And you understand, of course, that 14 you're here on behalf of Solutia; is that correct? 15 A. I understand that, yes. 16 Q. Now are you here on behalf of any other of the 17 entities that are involved as defendants, potential 18 defendants in this case, either Monsanto or Ascend? 19 A. No. 20 Q. Do you know anything about those companies? 21 A. I know things about Monsanto. I worked there 22 for a number of years. But the old Monsanto, not the 23 new Monsanto. 24 Q. Certainly. You worked for the old Monsanto 25 before you became an employee of Solutia; did you not?	Page 8 1 Q. Now they maintain an archive or historical 2 records on PCBs, Monsanto did; did they not? 3 A. The law department did, yes. 4 Q. And in connection with the spin-off of Solutia, 5 did that archives, or did those records move to Solutia 6 once the spin-off occurred? 7 A. They moved to the custody of Solutia, yes. 8 Q. And were you familiar with those records in 9 connection with your work with Solutia? 10 A. In general terms. I knew they existed and I 11 had seen a number of those documents in various 12 circumstances, yes. 13 Q. When you say these were gathered by the law 14 department, is that where they were housed at Monsanto? 15 A. I don't frankly know specifically where the 16 documents themselves were housed in Monsanto. I don't 17 remember. 18 Q. And do you know where they were housed when 19 Solutia was spun off? 20 A. Actually I don't. 21 Q. Okay. Now, what, if any, connection do you 22 have with the company called Ascend? 23 A. None. 24 Q. Do you know anything about what happened to 25 Solutia's records once the plant in Pensacola was sold

Page 9 1 by Solutia to Ascend? 2 A. Yes, I do. 3 Q. When did that happen? When did that sale 4 occur? 5 A. My understanding is the sale occurred in 6 mid-2009. 7 Q. And when I say "the records," what records are 8 you talking about? You said that this archive on PCBs, 9 or was it just the records from the Pensacola plant? 10 A. Well, it was records associated with the 11 textiles business from Solutia that went to Ascend. Not 12 the archive that we've been speaking about particularly 13 before. 14 Q. Okay. Once you got this notice, what, if 15 anything, did you do in connection with your preparation 16 for your testimony here today on behalf of Solutia? 17 A. I had several meetings with counsel to discuss 18 the specifics of the, of this request. I reviewed a 19 number of records from the production sets to assure 20 myself that the records that had been produced were 21 records that I would have had, from my years of 22 experience, would have expected to see produced in a, in 23 response to the specific request. 24 I interviewed the librarian at Solutia to ascertain 25 how documents were transferred, or the documents in	Page 11 1 they followed -- 2 A. Well, basically -- 3 Q. -- transferring those documents? 4 A. Well, certainly the documents that were at the 5 plant stayed at the plant and became the possession of 6 Ascend. 7 The documents at headquarters were, persons who 8 left, or left Solutia to go with Ascend who were based 9 in St. Louis, took their records with them to Ascend. 10 Q. You're talking about the individual or personal 11 records that they maintained in their offices -- 12 A. -- yes, their files, yes. And then records 13 that were more, in more general repositories were 14 transferred from basically pretty close after the sale 15 to probably six or seven months later in various stages. 16 There were actually meetings held in late 2009 to 17 discuss the separation of some of the records and, and 18 there was a major transfer of records after that. 19 Q. When you say "the separation of some of the 20 records," did she tell you what type of records were 21 separated and sent to Ascend -- 22 A. Well, they, a number of type of records. There 23 were environmental health and safety records, there were 24 legal records, business records, anything that was 25 directly associated with the textiles business that
Page 10 1 St. Louis headquarters were transferred to Ascend. 2 I spoke with a paralegal at the Husch firm about the 3 specif, excuse me, the specifics of some of the 4 questions here with regard to, for instance, the indexes 5 for various data sets. 6 Q. When you say you spoke to the librarian at 7 Solutia, who was that? 8 A. Her name is Marsha Stoklosa. 9 Q. Marsha? 10 A. Stoklosa. I think it's S-T-O-K-L-O-S-A, but 11 that could be incorrect. 12 Q. S-T-O-K-L-O-S-A? 13 A. That's mine, that's what I think it is, yes. 14 It's close. 15 Q. When you pronounce it "Stokolosa," is there an 16 O after the K? 17 A. If I pronounce it that way, I didn't mean to. 18 It's Stoklosa. 19 Q. Stoklosa, S-T-O-K-L-O-S-A? 20 A. I believe that's correct. 21 Q. She's the librarian for Solutia. What did you 22 discuss with her? 23 A. The, the process by which documents were, after 24 the sale, were transferred to Ascend. 25 Q. And what did she tell you was the process that	Page 12 1 Solutia had that, that Ascend purchased was transferred 2 to Ascend. 3 Q. Would that have included environmental 4 compliance of documents, documents that were filed 5 either with the federal government or the state 6 government? 7 A. To the extent that they were present in 8 St. Louis, that would have included those. As I said, 9 the ones, those kinds of documents typically would have 10 been held at the plant, I understand, and they would 11 have remained at the plant and transferred to Ascend. 12 Q. All right. When you talk about other 13 documents, would monitoring documents be maintained in 14 St. Louis or in the plant in Pensacola? 15 A. Most likely at the plant. The specific 16 monitoring documents would have been maintained at the 17 plant. I can't say there weren't some in St. Louis, but 18 most of the, the bulk of those would have been 19 maintained at the plant. 20 Q. What about the correspondence that might have 21 been had by employees from Monsanto about problems that 22 might exist, environmental problems that might exist? 23 Where would those have been maintained? 24 A. Well -- 25 Q. And pardon me. I said Monsanto, I meant

Page 13 1 Solutia. 2 A. I understand. I heard, I heard Solutia. Those 3 would have been maintained at the plant to the extent 4 they were generated by plant personnel. 5 If such correspondence had been undertaken by 6 St. Louis personnel for whatever reason, they probably 7 would have been in both places, the plant and in 8 St. Louis. 9 Q. Before 2009, was that information available to 10 Solutia for the sale in 2009? 11 A. I'm sure it was. I mean those documents would 12 have been in Solutia's possession prior to the sale, 13 prior to the transfer. 14 Q. All right. Now, you talked with the librarian 15 and you talked to a paralegal here at this firm? 16 A. Yes. 17 Q. Talked to anybody else in connection with your 18 testimony here today on behalf of Solutia? 19 A. Other than counsel, no. 20 Q. I have not said so, but I assume, and I want to 21 have this understanding as we proceed through this 22 deposition, that you're speaking for Solutia and not for 23 Dr. Robert Kaley as you testify here today; do you 24 understand that? 25 A. Yes, I do understand that.	Page 15 1 and it was later expanded to include environmental 2 documents. 3 Q. Was that the documents that you referred to 4 earlier that were maintained by Monsanto? 5 A. By the law department, yes. 6 Q. Did that start sometime in the late '70s, early 7 '80s? 8 A. The archive itself or the MONS set? 9 Q. The archive itself. 10 A. The early 1980s. 11 Q. Okay. And was that true for the MONS set? 12 A. No, I think it was generated -- I'm not sure 13 when it was generated. Probably a decade later. 14 Q. Sometime in the '90s? 15 A. I believe so. I'm, I'm guessing a little bit 16 there but I believe so. 17 Q. Was that set of documents related to safety and 18 health issues and environmental issues with regard to 19 PCBs? 20 A. Yes. 21 Q. Was it gathered for litigation -- 22 A. It was gathered, yes, it was gathered in 23 response to various requests, similar requests in 24 various litigations for that type of document. 25 And so the decision was made to make a thorough
Page 14 1 Q. Okay. Now, what is your familiarity with the 2 documents that had been provided to us so far in this 3 case? 4 A. I have a general understanding of the documents 5 that have been provided, and I have actually looked, as 6 I said earlier, to familiarize myself with what are in 7 the various sets of documents. 8 I have looked at selected documents not, not, by 9 selected I mean randomly chosen as I went, went through 10 the data sets to just assure myself that the kinds of 11 documents I would expect to see were, in fact, in there. 12 Q. Can you tell me first what data sets that you 13 looked at as you sit here today? 14 A. My understanding is that there, there, have 15 data sets with various Bates labels, Bates stamps have 16 been produced including a set prefixed with the letters 17 M-O-N-S, the MONS set; a set prefixed with the letters 18 D-S-W, I'm not sure what that means; a set prefixed 19 F-L-A dash P-C-B; and a set prefixed G-N-Z. 20 Q. Do you know where the MONS set came from? 21 A. Yes. 22 Q. Where? 23 A. Well, it came from the archive that we 24 mentioned earlier. It's a collection of documents 25 related to initially safety and health from the archive	Page 16 1 search of the archive to get all those documents and put 2 them in one place so they could always be produced 3 whenever that request came in. 4 Q. Was that practice maintained by Solutia once 5 they took over the plants from, that they took over when 6 they were spun off from Monsanto -- 7 A. Yes -- 8 MR. MERRILL: Object to the form of the 9 question. I need to know what you meant by "practice." 10 Q. (By Mr. Stewart) Putting together documents, 11 maintaining documents and collecting over time. My 12 understanding, the archives were maintained and, and 13 collected over time, and there were additions to those 14 documents as years went on. Is that correct or 15 incorrect? 16 A. We talking about the, the general archive? 17 Q. Yes. 18 A. All right. My understanding is that there was 19 an initial creation of that archive. There has not been 20 a general practice or attempt to sweep in other 21 documents generated after that time, although as 22 documents have been identified, they have been added to 23 that archive on an occasional basis but not necessarily 24 a thorough basis. 25 Q. But let me see if I understand what you're

Page 17 1 saying. Generally speaking, as documents were generated 2 after the archives was originally created, sometime 3 those were added that related to PCB? 4 A. Yes. 5 Q. And did they relate to safety and to health and 6 environmental issues regarding PCB? 7 A. Some of them may have. 8 Q. What other kind of documents were added, if you 9 know, during the time that you worked at Monsanto -- 10 A. I couldn't be specific. I would be guessing. 11 I don't know specifically which documents were or 12 weren't added. 13 Q. Was that general practice continued once 14 Solutia was spun off? 15 A. I don't know. 16 Q. Who would? 17 A. Presumably a Solutia attorney or someone 18 representing Solutia. 19 Q. Would the librarian be familiar with that? 20 A. No, she had nothing to do with the archive. 21 The archive was strictly a law department creation and 22 maintained by the law department. 23 Q. Is that where the MONS set came from? 24 A. The MONS set came from the archive, the PCB 25 litigation archive, yes.	Page 19 1 selection by us. 2 MR. STEWART: You mean, are you saying -- 3 MR. MERRILL: Not the entire archive, the 4 entire MONS set. 5 MR. STEWART: I was going to say, if you were 6 going to tell me it was the entire -- 7 MR. MERRILL: No, no, no. 8 MR. STEWART: -- archives, Charlie -- 9 MR. MERRILL: Absolutely not. 10 MR. STEWART: -- got that in the Monsanto case, 11 400,000 pages. 12 MR. MERRILL: And the MONS set is approximately 13 100,000. 14 MR. STEWART: A little over 100. 15 A. But it's a subset of the archive. The MONS set 16 is a subset of the archive. 17 Q. (By Mr. Stewart) Which pertain to what? 18 A. Health, safety and environment. 19 Q. Would the MONS set include any data that was 20 collected either by soil sampling, water sampling, 21 anything like that at the Pensacola plant? 22 A. If such data were in the archive. 23 Q. Where else would that be? 24 A. At the plant. 25 Q. Maintained at the plant?
Page 18 1 Q. And how is it, if you know, was the MONS set of 2 documents that we have received in this case selected? 3 A. By the process I described earlier. That it is 4 a, I'll use the term because I've heard it used, a shelf 5 set, a set of, a complete set of documents related to 6 those issues that are produced in response to requests 7 for production of documents related to the health, 8 safety and environmental affects of PCBs. 9 Q. So, do you know who went to the MONS set and 10 selected those documents based on your interviews and 11 the work that you've done? 12 MR. MERRILL: I'm going to object to that. I'm 13 not going to object to it. What I'm going, I'm going to 14 note for the record that that question calls for 15 testimony beyond the matters designated in the 16 deposition notice. 17 MR. STEWART: You mean I can't ask him that 18 question here? 19 MR. MERRILL: Well, you can ask him the 20 question, it's just, I'm saying that it's not -- 21 MR. STEWART: Are you instructing him not to 22 answer -- 23 MR. MERRILL: No, I'm not at all. And by the 24 way, this might help, I don't know if he knows this, but 25 the entire MONS set was produced. There was no	Page 20 1 A. Maintained at the plant, yes. 2 Q. Now, what do you understand the DSW documents 3 to be? 4 A. My understanding of the DS documents, DSW 5 documents is that they were initially, that set was 6 initially created in response to manufacturing, 7 marketing and sales information, request for production 8 of manufacturing, marketing, sales information generated 9 in production requests from the early Alabama 10 litigations. 11 I believe the D stands for Dyer. What the W and S 12 stands for, I don't know, but I think it was the Dyer 13 litigation. It was created for that. 14 Now it has been supplemented a couple of times. The 15 major supplement was, I believe, after your firm did a 16 search of documents for, at the plant or other places 17 for your litigation. And as those documents were 18 identified and produced, they were added to the DWS set, 19 or DSW set, I'm sorry. 20 Q. Our litigation, you talking about this case in 21 Pensacola -- 22 A. -- talking about the Alabama litigation. 23 Sorry. 24 Q. So there were additional documents added to the 25 DSW set from the litigation in Anniston?

Page 21 1 A. That's correct. 2 Q. What about Florida PCB? What is that? 3 A. All right. That is a, a collection of 4 documents that was assembled by the Husch firm in 5 response to the production request in this particular 6 litigation from the archive. 7 Q. Well, that was taken, some of that information 8 was taken from the archives, the MONS documents? 9 A. Well, all of the FLA-PCB set was taken from the 10 archive. I believe that some of it is also in the MONS 11 set. 12 Q. Okay. But some might not be in the MONS set; 13 is that correct? 14 A. That is correct. 15 Q. Okay. Can you tell us which ones? Are you 16 familiar with the way they produced it to tell us which 17 ones or not? 18 A. Not specifically. But for example, and I'm 19 speculating a little bit, but my guess is that the 20 retention manuals, which are here in this binder which 21 were requested in the notice for this deposition, are 22 not necessarily health, safety and environment 23 documents. My guess is that they are not in the MONS 24 set, but they were produced in the FLA-PCB set. 25 Q. Would the insurance policies be the same?	Page 23 1 A. Yes. 2 Q. Now those documents came from Ms. Dyer from 3 Ascend; is that correct? 4 A. That, yes. 5 Q. Did you have an opportunity to go through those 6 documents? 7 A. I leafed through some of them. Electronically 8 speaking, I leafed through some of them. 9 Q. Now, what we have asked you to testify about 10 today are the corporate records -- 11 A. Excuse me. Can I, so we don't get lost, there 12 was another set of documents that, when you asked me, 13 that I'd forgotten about, and those were documents that 14 were prefixed URS. I don't know whether you want to 15 discuss those or not? 16 Q. Yeah. Go ahead. 17 A. Okay. URS is a consulting firm that has done 18 most, if not all, of the environmental work with related 19 to regulatory policies and -- 20 [The court reporter interrupted.] 21 A. RCRA. And those documents that were in 22 possession of URS were also reviewed and responsive 23 documents were produced. Sorry for the interruption, 24 but I did want -- 25 Q. (By Mr. Stewart) That's okay. That's okay.
Page 22 1 A. I'd be guessing. I don't really know. 2 Q. Okay. Now, there was another set of documents 3 that you mentioned, the GNZ documents. Do you know what 4 those are? 5 A. Those are documents that were produced, those 6 are documents from the plant that were produced in 7 response to the request. Those are actually, I guess, 8 they're documents that were transferred from Solutia to 9 Ascend at the plant and then searched by Ascend 10 personnel and given to, I believe, Husch for review and 11 production. 12 Q. Who did that review? 13 A. My understanding it was a person named Amy 14 Dyer. 15 Q. And did she at one time work for Solutia? 16 A. Yes, she did. 17 Q. And she now works for Ascend? 18 A. That's my understanding, yes. 19 Q. And what is her position with Ascend? 20 A. I'm not sure. I don't know. 21 Q. What was it with Solutia? 22 A. I think she was an environmental manager, but 23 I'm not sure. 24 Q. At the Monsanto, at the Solutia plant in 25 Pensacola and at the Ascend plant at Pensacola?	Page 24 1 That's fine. Do you know who gathered those documents? 2 A. Not specifically, no. 3 Q. Let me ask you -- 4 A. Well, maybe -- no, as I think back, I believe 5 actually that they were, they were made available for 6 your review, or the attorneys for the plaintiffs' 7 review. Those attorneys selected those documents so 8 that they would like to see, then they were provided to 9 you. 10 Q. All right. If you'll take a look at page two, 11 I'll start there, and I want to see what you're in a 12 position to testify to about today on behalf of Solutia. 13 The first one is a Corporate Records Maintenance and 14 Retention Policy of Solutia and the Pensacola Nylon 15 Plant at issue in this litigation. 16 A. Yes. 17 Q. Have you made yourself familiar with that -- 18 A. Well, I was -- 19 Q. -- enough where you can answer questions for us 20 on that particular issue? 21 A. Well, I'm familiar with it from my days at 22 Solutia, and I did review the Solutia retention policy 23 in preparation for this deposition -- 24 Q. So you are prepared to answer questions for 25 Solutia on that?

Page 25 1 A. Yes. I don't know that I know chapter and 2 verse without referring to the document, but I'm, I'm 3 here to answer questions. 4 Q. All right. And then the Electronic Data 5 Maintenance and Retention Policy, I'll ask you about. 6 And I assume you looked at that too in connection with 7 your review? 8 A. It's the same as the paper document retention 9 policy. 10 Q. Okay. And then "The existence and location of 11 documents regarding the topography and location of 12 buildings; water features, natural and manmade; sewers, 13 ditches and similar controls for managing storm and 14 process water; wells; surface impoundments and any other 15 such improvements at the Pensacola Nylon Plant"; are you 16 in a position to talk about that? 17 A. Well, those, those documents exist and they 18 were, are at the plant. Similar documents probably 19 existed at URS since they would have been generating 20 reports based on some of that information. 21 Q. When you say "those documents do exist and are 22 located at the plant," are you talking about all the 23 documents that I listed under Paragraph 3? 24 A. To the extent the documents referencing those 25 do exist, they would have, you know, they would be at	Page 27 1 found? 2 A. Yes, in the archive. 3 Q. Okay. "The existence and location of documents 4 regarding locations, history and time period of use, 5 waste characterization and maintenance of all landfills 6 located at the Pensacola Nylon Plant since 1950 which 7 contain or which documents refer to PCBs"? 8 A. Well, again, to the extent that those documents 9 exist, they would have, they would be maintained at the 10 plant. 11 Q. Would those documents not exist referencing the 12 disposable waste on the plant site? 13 A. I would have to check the retention manual to 14 be sure, but since the date 1950 is specified, I think 15 it's possible that there were documents about landfills 16 prior, you know, to some specific date that, that may no 17 longer exist. 18 I believe that the URS investigations around the 19 RCRA permit would have uncovered information about that 20 but I can't say that, that documents from the 1950 time 21 frame were destroyed under normal retention policies. 22 Q. We'll go to the retention policy a little 23 later, but is it your statement here today that 24 monitoring data that was maintained for governmental 25 agencies can be destroyed?
Page 26 1 the plant, yes. 2 Q. The next one is "The existence and location of 3 documents regarding location, general use and 4 maintenance of equipment and buildings that contain or 5 once contained PCBs or PCB-containing substances 6 including but not limited to sumps, decanters, 7 condensers, capacitors, transformers, natural gas 8 compressor stations and heat transfer fluid piping"? 9 A. To the extent those documents exist, they would 10 be at the plant, although I know there are some 11 documents relating to PCBs at the Pensacola plant and 12 the litigation archive. 13 Q. In the litigation archive? 14 A. Yes. 15 Q. And when you say the "litigation archive," 16 you're talking about the MONS set or the archives that 17 were maintained on safety, health and environmental 18 issues by Monsanto? 19 A. No, I'm talking about the overall archive from 20 which the MONS set was generated. 21 Q. Okay. But I thought I included that, but I 22 want to make that I get my answer to the question from 23 you. But you're talking about the archives, you're 24 talking about the archives include documents other than 25 the MONS set, and that's where those documents would be	Page 28 1 A. I would have to check the specifics of the 2 retention. I think there are long-term if not permanent 3 requirements for some of those, but I would have to 4 check the specifics of the document. I don't have it 5 memorized. 6 Q. We'll get to it a little bit later. Tell me if 7 you would, since you were involved in Monsanto and you 8 were involved with Solutia, do you know whether or not 9 any waste from any other plant was ever transferred from 10 another plant to the Monsanto plant site PCB way? 11 MR. MERRILL: I would note for the record the 12 question calls for testimony beyond the matters 13 designated in the deposition notice. 14 MR. STEWART: Well, I would respectfully 15 disagree. We're talking about the existence and 16 locations of documents regarding locations, history and 17 time period of use, waste characterization and 18 maintenance, and I was just asking if he knows, as an 19 employee formally of Monsanto and Solutia and having to 20 do his -- 21 Q. (By Mr. Stewart) I think you served as a 22 steward for PCB, if you know any of the waste went from 23 the Anniston plant or any other plant? Krummerich or 24 any other? 25 MR. STEWART: The witness can certainly answer

Page 29 1 the question. I'm just making the note for the record 2 when there's something that I believe is outside of the 3 scope of -- 4 MR. STEWART: -- that's fine, Charlie. 5 A. I don't know. 6 Q. (By Mr. Stewart) You don't know. Is that a 7 possibility? 8 A. I would be speculating to, to answer. 9 Q. You feel free to speculate, Dr. Kaley. 10 A. Fine. I, I think if there is a possibility, it 11 was extremely remote. It was, I've never heard of any 12 policy where waste from one site within Monsanto were 13 transferred to another site. 14 Q. Do you know whether or not PCBs were ever used 15 in the nylon production of nylon products at the 16 Pensacola plant? 17 MR. MERRILL: I'll note for the record the 18 question calls for testimony beyond the matters 19 designated in the deposition notice. 20 A. I, I guess I would ask you to clarify what you 21 mean by used in the manufacture? 22 Q. (By Mr. Stewart) Actually using PCs, PCBs as a 23 raw material for the manufacture and process in some 24 fashion? 25 A. No, they would not have been.	Page 31 1 MR. STEWART: You can have a blanket objection 2 to this line of questioning -- 3 MR. MERRILL: Okay. 4 MR. STEWART: That's no problem there. 5 A. My understanding of the use of PCBs at the 6 Pensacola plant was, it was only in electrical 7 equipment, possibly heat transfer systems, and for a 8 short time, in air compressor systems as a lubricant. 9 That's my understanding of the only uses of PCBs at the 10 Pensacola plant for any product line. 11 Q. (By Mr. Stewart) Where did you obtain that 12 information? 13 A. Basically in my course of my duties as the PCB 14 steward as you called it for Monsanto and Solutia. 15 Q. Give me, if you would, whether or not you'd be 16 in a position to testify about the existence and 17 location of documents memorializing communications or 18 interactions with environmental and water regulatory 19 agencies including these agencies: The Florida 20 Department of Environmental Regulation, the Florida 21 Department of Environmental Protection, United States 22 Environmental Protection Agency, or the EPA, Corps of 23 Engineers of the Northwest Florida Water Management 24 District? 25 And I'm talking about documents that are limited in
Page 30 1 Q. Is that your testimony here today on behalf of 2 Solutia now, Dr. Kaley? 3 A. I would say that's more my testimony on behalf 4 of Dr. Kaley. 5 Q. Who in Solutia would know whether or not the 6 product PCBs were used? 7 A. Well, somebody familiar with the process to 8 know whether PCBs were a raw material for nylon. 9 Q. And where would, not necessarily for nylon, but 10 as a part of the product that was produced? 11 A. Well, I'm not, I guess I'm not sure what you're 12 asking. Certainly PCBs were used for a short time in 13 air compressor equipment at the plant which was 14 producing nylon. 15 But PCBs, the chemical PCBs are not a chemical part 16 of the process by which nylon is produced. They were 17 not one of the raw materials used to make nylon. 18 Q. I understand that. 19 A. Okay. 20 Q. But I'm just asking if it was some product that 21 was manufactured at the Pensacola plant in which they 22 used PCB? 23 MR. MERRILL: Again, can I, as long as we're on 24 this topic, I'd like to, can I, so I don't have to 25 interrupt every question --	Page 32 1 scope to those referencing the Pensacola Nylon Plant. 2 This can be a river; this can be a bay or its contiguous 3 waters. Are you able to tell me anything about the 4 existence and location of documents which memorialize 5 those types of communications? 6 A. To the extent those documents exist, they would 7 have been maintained at the plant. Certainly some of 8 those documents, especially if communications with 9 regulatory agencies, especially the EPA, probably would 10 have had copies in the St. Louis offices, which would 11 have been transferred to Ascend. And there are probably 12 some documents that meet that description in the URS 13 files. 14 Q. Now that was just generally memorializing 15 communications or interactions with the environmental 16 and water regulatory agencies about any matter. Would 17 the same be true, though, for the same kind of 18 communications regarding PCBs with those agencies that I 19 mentioned? 20 A. Yes, my answer would be the same. 21 Q. So you're telling me that those documents would 22 be maintained both at the plant and quite possibly if it 23 had to do with EPA or DEP, it would be also in 24 St. Louis? 25 A. There are, they certainly would be maintained

Page 33 1 at the plant. There are, it is a possibility that 2 copies of some of those documents were in St. Louis. I 3 don't know for sure. 4 Q. And again, what about the existence and 5 location of documents such as reports, meeting minutes, 6 presentations, due diligence or other documents prepared 7 in response to or preparation for any communication with 8 a local, state or federal environmental and water 9 regulatory agency? And I would list the same agencies. 10 Now that's just generally? 11 A. Okay. My answer would be the same. I should 12 add that probably URS has documents or had, has had 13 documents that are, that are responsive to that request 14 also. 15 Q. Well, while you are saying that, I want to make 16 sure that I understand that the plant itself would 17 maintain the documents that would be responsive to what 18 I ask you about in six and seven, and then the Paragraph 19 8 on page three of Plaintiff's Exhibit 1, those would 20 also be located at the plant; is that correct? 21 A. Yes. I would, yes. The plant would have, in 22 my understanding, a complete file of those documents. 23 But copies of some of those documents may be in some of 24 the other, the locations, St. Louis or URS. 25 Q. At the time -- and would that be true for No.	Page 35 1 employee, and I may be paraphrasing it, we'll look at 2 that in more detail, it's my understanding you all 3 maintain those records? 4 A. If that's -- as I said, I can't speak to 5 specifics without looking at the document. But if 6 that's what it says, then that's what should have been 7 done, certainly. 8 Q. And that was to be maintained along with the 9 report or whatever it was they were discussing on a 10 permanent basis, as I understood the retention policy; 11 is that your understanding? 12 A. I would have to check to be sure on the 13 specifics. 14 Q. And then the, No. 10, "The existence and 15 location of documents constituting, evidencing or 16 related to environmental reports and/or laboratory 17 testing prepared by Solutia or disseminated to Solutia 18 which relate to PCBs in or around the Pensacola Nylon 19 Plant, the Escambia River or the Escambia Bay." 20 Would those documents, are you in a position to 21 testify about where those exist and can you tell us? 22 A. Well, excuse me, certainly some of the 23 documents that exist from the 1969 release are present 24 in the PCB archive. They were among those documents 25 collected and maintained by the law department.
Page 34 1 9, which deals, it's on page four, Paragraph No. 9, 2 that's the same type of document, reports, minutes, 3 meeting minutes, presentations, due diligence, other 4 documents regarding PCBs and having to do with 5 preparation for response or communication with the 6 local, state or federal environmental and water 7 regulatory agency? 8 A. That's my understanding, yes. 9 Q. So those two would be quite possibly at URS but 10 also at the plant site? 11 A. Certainly at the plant site and quite possibly 12 URS, yes. 13 Q. Now, based on your experience, Dr. Kaley, while 14 working at Monsanto, working at Solutia, what about the 15 maintenance in the file of notes, memorandum, e-mails, 16 that type of communication between employees, is that 17 maintained in the files in connection with the 18 preparation of communication with local, state or 19 federal environmental and water regulatory officials? 20 A. To the extent that it comports with the 21 retention policies, yes. 22 Q. Well, I looked at the retention policy, both in 23 preparation for this previously and then today, and it 24 appears that if it has to do with a conversation or 25 preparation for a conversation with a government	Page 36 1 Documents generated after that period of time, after 2 the early 1980s, to the extent that they exist and were 3 maintained in accordance with the retention policies 4 would be at the plant, yes. 5 Q. Well, let me ask you this. Did you limit your 6 review, this deposition notice to the spill in '69 and 7 beyond as it relates to PCBs and the release of PCBs 8 from the plant site? 9 A. Well, I don't know that I'd, I'd limit it to 10 that. I'm not aware of anything before that. But 11 that's the first awareness of PCBs in Pensacola that I 12 have -- 13 Q. -- reference -- I'm sorry. I'm talking over 14 you and I apologize. 15 A. That's fine. Go ahead. 16 Q. What I had reference to is after '69. Did you 17 just look for documents or did you understand that 18 documents were looked for in the '69-'70 period, '71, 19 somewhere along in there? 20 A. Those, documents related to that time period 21 would have, would be in the PCB archive. And I mean, 22 I've, I've, those were among the documents I saw in my 23 quick review of production documents, so I know some of 24 them were produced and my guess, my assertion would be 25 that all documents related to that spill in the '69 time

Page 37 1 frame that are in the archive would have been produced. 2 Q. Well, I guess what I'm talking about is if 3 we're talking about a release from the plant site, is 4 that the only documents that were provided to us as far 5 as you know the documents that related to the '69 spill? 6 MR. MERRILL: I'm going to object to the 7 question as worded, because to the extent it's asking 8 about the production of documents. It's calling for 9 testimony beyond the matters designated in the 10 deposition notice. But go ahead and answer. 11 Q. (By Mr. Stewart) Well, I guess what I'm asking 12 you though is, is it your understanding that the 13 documents were produced in connection with the releases 14 or related only to the '69 release and the '70, '71? 15 A. No, that's not my understanding. My 16 understanding is that the documents that were produced 17 were all the documents available at the plant or at URS 18 or in the archive related to this specific production 19 request that, that the plaintiffs made in this case. 20 So it would have been, to the extent there were any 21 documents about releases post 1969, they would have been 22 produced within one of those data sets. 23 Q. Okay. So it's my understanding, as you sit 24 here today, that you maintained on behalf of Solutia 25 that they have produced for us those documents that are	Page 39 1 And if there are documents that we don't have, 2 that's what I'm looking for. And if we've got to ask 3 specifically about documents, Mr. Merrill, in connection 4 with this case, you know, almost by name before you all 5 will produce them to us, or you will give us a big set 6 of documents and say, We've answered your question 7 because the documents are there within this, when we ask 8 a specific question, then we may have to go somewhere 9 and get some relief. Because that's what I'm beginning 10 to hear in connection with this production process. 11 If we don't specifically say that we're going 12 to ask him when we say the existence and location of 13 documents related to environmental reports or laboratory 14 testing, what you're saying to me is I can't ask him if 15 there were documents that might have to do with the 16 release in those documents that he looked at that you 17 all produced. 18 MR. MERRILL: No, you can ask him that 19 question. My objection was to something different. You 20 asked him if we had, what we had produced. 21 MR. STEWART: Well, that's exactly right. I'm 22 asking if you've produced, if you've produced documents 23 in our document request. I'm here trying to find out if 24 there's something missing. 25 MR. MERRILL: I understand, but --
Page 38 1 related to any release, whether it's '69 or any time 2 after that, of PCBs from this plant site? 3 MR. MERRILL: I'll note for the record that 4 that question about the nature and extent of the 5 production by Solutia is not a matter that's reasonable 6 to, designated with reasonable particularity in the 7 disposition notice. 8 MR. STEWART: Well, you and I just respectfully 9 disagree. I mean, if, if you're telling me that our 10 questions about the existence and location of documents 11 related to environmental reports, which would certainly 12 include releases, we're limited to asking him just 13 general questions about that, I mean we might quit now 14 and start over again. 15 MR. MERRILL: Well, you didn't, you didn't ask 16 in your notice any questions concerning the production 17 sequence or process by our firm. Depending on those, if 18 those questions had been asked, we may or may not have 19 objected to him, but that's certainly is not the 20 designated -- 21 MR. STEWART: -- I'm familiar with that process 22 and, and we'll get to that in just a minute because 23 there's some deficiencies have been raised, but I'm 24 going to be asking him about these deficiencies and what 25 the limitations were about these documents.	Page 40 1 MR. STEWART: -- telling me that, and we will 2 start over. We'll start over with that and some other 3 things. I'm, I'm just trying to find out if we're going 4 to play hide the pea today. If we are, that'll be fine. 5 MR. MERRILL: I, I, you know, I object and 6 disagree with, you know, any comment or, or assertion 7 that there has been any hiding the pea but -- 8 MR. STEWART: -- deficiencies later -- 9 MR. MERRILL: -- my point is that this was not 10 a deposition notice to us to discuss the, what is and is 11 not included in our document productions. That's never, 12 that's not specified anywhere in this notice. So, 13 existence and location of documents, you can continue 14 asking him about that and -- 15 MR. STEWART: Well, I guess that's what I'm 16 asking, Charlie. 17 Q. (By Mr. Stewart) I'm asking, do you know, 18 Dr. Kaley, if there are documents in here that evidence 19 or relate to environmental reports and laboratory 20 testing prepared by Solutia or disseminated to Solutia 21 which relate to the Pensacola Nylon Plant? This can be 22 a river or this can be a bay. 23 A. To the extent those documents do exist, and 24 some do, they would be located at the plant. 25 Q. And did you, in your effort to be able to

Page 41 1 answer that question, determine whether or not there was 2 anything beyond this '69 spill? Any test that was 3 performed? 4 A. I did not -- 5 Q. -- had to do with PCB releases from this plant 6 site? 7 MR. MERRILL: Okay. Now I need to note for the 8 record again that this question calls for testimony 9 beyond the matters designated in the deposition notice. 10 Because it's not, it's not asking him about the 11 existence of documents. You asked him if there were any 12 spills -- 13 MR. STEWART: -- asking him about the existence 14 of documents that relate to spills beyond the '69. 15 That's all I'm asking him about. And if he knows if 16 they exist -- 17 Q. (By Mr. Stewart) -- and if so, where are they 18 located? 19 A. I have no specific information that such 20 documents exist. If they did exist, they would be 21 located at the plant. I did not make a specific inquiry 22 into spills that may or may not have occurred after 1969 23 to pick a date -- 24 Q. -- environmental reports be related to? 25 A. Any number of things. MPDES permits,	Page 43 1 supposed to be set up to maintain waste on a plant site, 2 then certainly you would have a release if it got out of 3 that impoundment area, wouldn't you? 4 MR. MERRILL: Okay. I note for the record the 5 question calls for testimony beyond the matters 6 designated in the deposition notice. 7 MR. STEWART: I'm just trying to get his 8 understanding, Mr. Merrill -- 9 MR. MERRILL: You can answer, I'm just making 10 my record -- 11 MR. STEWART: I understand what you're doing. 12 I understand what you're doing. You can have a blanket 13 objection to anything I ask him about why we came here. 14 That's fine with me. 15 MR. MERRILL: No, there, there are two 16 different sets of things and you know what the rules 17 are. There are things that are designated in the notice 18 in which he's speaking for Solutia. 19 There are other questions that you have a lot 20 of them that are not matters designated with reasonable 21 particularity in the notice, and those are for him to 22 testify on his own. And I'm just trying to distinguish 23 between -- 24 MR. STEWART: -- we're not going to proceed 25 down that road. My understanding of a rule 30(b)(6)
Page 42 1 discharges of air, you know, air discharges, any, you 2 know, violations that the State had noted for any number 3 of things. 4 Q. Releases of PCBs into the river? 5 A. If that had happened and there were reports 6 about that, they would exist at the plant. 7 Q. Contaminated sites beyond impoundments that 8 were set up for the storage of PCB waste on the plant 9 site? 10 A. I'm not sure what you're referring to. 11 Q. What if there was sludge located in the 12 impoundment on the plant site and there were releases 13 that came from that sludge, that would be an 14 environmental incident, there'd be an environmental 15 report made, wouldn't it? 16 A. I would believe so, yes. 17 Q. And should be, according to you as I understand 18 it, located at the plant site; is that correct? 19 A. If there are documents related to such a 20 release as you alleged, then they would be, they would 21 be maintained at the plant site, yes. 22 Q. Well, a release could be on plant site or off 23 plant site, couldn't it, Dr. Kaley? 24 A. I suppose it could be, yes. 25 Q. If you've got an impoundment area that's	Page 44 1 witness is he's got to determine whether or not there 2 are documents that exist and are located at this plant 3 site that relate to releases. If it has to do with an 4 environmental report, he's already said an environmental 5 report would be made about that. 6 MR. MERRILL: Your last question didn't ask 7 about records, it asked him about releases from an 8 impoundment and whether, if sludge got out of -- 9 MR. STEWART: -- I was trying to do, 10 Mr. Merrill -- 11 MR. MERRILL: -- to do -- 12 MR. STEWART: -- was to get around the 13 objection that you're making. I won't, I think 14 Dr. Kaley knows what an environmental report is. 15 Q. (By Mr. Stewart) And an environmental report, 16 Dr. Kaley, would it not be made if there was some kind 17 of finding that PCBs had escaped from an impoundment 18 area on the plant site? 19 A. If, if there were such a hypothetical release 20 and the regulations required reporting that release, 21 that would be, that there would be a report generated. 22 Q. Wouldn't you do monitoring or testing about 23 that? 24 A. I can't speak to a specific, I mean to a 25 hypothetical. I think it depends on the particular

Page 45 1 situation. 2 Q. Well, let's say the impoundment area was 3 designed to maintain or hold the PCB? 4 A. Well, you seem to have a specific incident or 5 question or site in mind, and I'm not familiar with, 6 with the specifics of what your site that you're 7 presenting to me as a hypothetical, that doesn't really 8 seem to be is. 9 I am not aware of any such release at the Pensacola 10 plant, whether hypothetically or actually, and I don't, 11 so I have no idea whether there are documents associated 12 with any such hypothetical release. 13 Q. Okay. So you're saying that there's no release 14 from any impoundment area on the plant site? 15 A. No -- 16 MR. MERRILL: Wait a minute. I'm going to note 17 again for the record the question calls for testimony 18 beyond the matters designated in the deposition notice. 19 A. Wait, I, I believe I'd like to answer that 20 question -- 21 MR. MERRILL: No, you can answer. 22 A. If you could repeat the question, please? 23 Q. (By Mr. Stewart) I'm just asking you if there's 24 no records related to a release from the plant, other 25 than this '69-'71 thing we keep talking about?	Page 47 1 your discussion. I have not seen -- 2 Q. -- you're saying, what I'm trying to clarify 3 is -- 4 MR. MERRILL: I'm saying that is within the 5 matters designated in the notice. The existence of a 6 document about testing in the bay would, is within the 7 gamut of the notice. 8 Q. (By Mr. Stewart) Yeah, and I'm asking you, as a 9 representative of Solutia here today, if that record 10 does exist? 11 A. I have not seen that, any specific record with 12 regard to that -- 13 Q. -- ask -- 14 A. -- review of the documents, but I am confident 15 that if that testing was done, those records would be 16 maintained at the plant and probably at URS, because URS 17 likely would have been involved in that testing, 18 certainly within recent years, and those documents would 19 have been produced. 20 Q. Are there any documents there that indicate 21 that PCBs have gotten out of the impoundment area? 22 A. Mr. Stewart, I haven't reviewed every document 23 that has been produced in this litigation. I don't know 24 the answer to that. All I'm here to say is that if such 25 documents existed, they would be at the plant. And they
Page 46 1 A. I don't know the answer to whether there is, 2 exist a single document related to a PCB release. I 3 have not seen any such documents. 4 Q. Do you know if there was any testing by 5 Monsanto in the bay? 6 A. I don't know specifically. 7 Q. You're not aware of any testing by Monsanto or 8 by Solutia in the bay? 9 A. As I sit here today, I don't have any specifics 10 about any such testing, no. 11 Q. In the bay? 12 A. In the bay. That isn't to say it didn't 13 happen. I'm just not aware of it. I have no specific 14 information about that. 15 Q. Are you speaking on behalf of Dr. Kaley there 16 or from Solutia? 17 A. I'm speaking on behalf of myself there. 18 MR. MERRILL: Now that, that question actually 19 was about documents. 20 MR. STEWART: Yeah. 21 MR. MERRILL: Okay. The question was about 22 documents. 23 Q. (By Mr. Stewart) I'm asking you about 24 documents. I'm asking you -- 25 A. I answered it I thought, before he, you had	Page 48 1 would have been included, I'm confident, in the 2 production. 3 Q. Well, I, so it's my understanding that, as you 4 sit here today, that you didn't review the documents 5 that were maintained at the plant or at the Ascend -- 6 not Ascend, but Solutia offices or in the archives to 7 determine whether or not this, my question I just put to 8 you, is true or not? You just didn't look at the 9 documents so you don't know about that? 10 A. I did not look at all of the documents that 11 have been produced in this case, no. 12 Q. And that would be true if I asked you about a 13 release into any drainage area in and around the plant 14 shortly before it reaches the river, the land reaches 15 the river? 16 A. That would be also true, yes. 17 Q. But it's your testimony here today that all you 18 know, as you sit here today, as a 30(b)(6) 19 representative, when I ask you about those specific 20 documents is that if they do exist, it would have been 21 at the plant? 22 A. Yes. Among possibly -- 23 Q. -- provided to us? 24 A. Yes. 25 Q. Would that be the same for 13, would you look

Page 49 1 at 13? 2 A. Yes, that would be the same answer, yes. 3 Q. So you don't know whether or not those 4 documents do exist that are referred to in Paragraph 13 5 on page four of Plaintiffs' Exhibit 1? 6 A. I, I have not seen in my review of the 7 documents I reviewed, any documents that are 8 specifically responsive to that Question 13; that is 9 correct. But I would again say that, that if those 10 records exist, those kinds of records would be 11 maintained at the plant. 12 And to the extent that they were dielectrics, they 13 would have been maintained or there would have been 14 copies in the, initially in the files at Solutia, but 15 those files then would have been transferred to Ascend. 16 Q. What about the disposable PCBs and 17 PCB-containing products at the plant site? Documents 18 that authenticate that or memorialize that? 19 A. Again, to the extent that they exist, and they 20 would exist for disposable PCBs after the PCB disposal 21 regulations went into effect in 1978, those records 22 would be maintained at the plant in accordance with EPA 23 regulations, and copies of those documents would have 24 existed in St. Louis, but the EPA retention policy for 25 those documents is very specific, that they can be	Page 51 1 material to be disposed of off site? 2 MR. MERRILL: Can I have my continuing comment 3 for this line of questioning? 4 MR. STEWART: Yeah. 5 A. Could you rephrase -- 6 Q. (By Mr. Stewart) What level of PCBs in, let's 7 just say it's in some sludge, what level can you 8 maintain on site? 9 A. That would depend on a negotiated settlement 10 with the EPA on how those, how those materials were 11 managed. 12 Q. Could you maintain it in an open impoundment? 13 A. I don't know. 14 Q. You don't have any idea? Do you know anything 15 at all about what was done in connection with the 16 disposal of that waste? What documents were there at 17 the plant site related to disposal of PCBs and 18 PCB-containing products at the Pensacola Nylon Plant? 19 A. Again, you seem to be referring to some 20 specific incident and I'm -- 21 Q. No, I'm just asking you generally, do you know 22 about, anything at all about the documents that relate 23 to that -- 24 A. -- if those documents exist, they would be 25 maintained at the plant.
Page 50 1 destroyed after three years. 2 So I don't, I don't specifically -- after three 3 years after the plant is PCB free. So I don't know 4 specifically whether those documents were maintained or 5 not. 6 Q. What is meant by "PCB free"? 7 A. There is, there is a documented absence of PCBs 8 in any equipment, either active equipment or equipment 9 for storage, or PCBs waiting disposal at the plant. 10 Q. When you say "PCBs waiting for disposal at the 11 plant," are you telling me that after, sometime after 12 1978, the plant site was supposed to be PCB free? 13 MR. MERRILL: Wait a minute. I note for the 14 record the question calls for testimony beyond the 15 matters designated in the deposition notice. 16 Q. (By Mr. Stewart) Go ahead. 17 A. It was PCB free under the definition of the PCB 18 regulations of the EPA, yes. 19 Q. Would that allow you to have waste on the plant 20 site that contained PCBs? 21 A. If it was properly contained, yes. 22 Q. If what? 23 A. If it was properly contained, yes. And if it 24 was not awaiting disposal off site, yes. 25 Q. What requirement would there be for a PCB-laden	Page 52 1 Q. But you don't know, as you sit here today as a 2 representative for Solutia, as to whether or not there 3 are such documents? 4 A. That's correct. 5 Q. And take a look at 14. I want to ask you some 6 questions about that. 7 A. Okay. 8 Q. Do you know if any such documents exist that 9 are referred to, talks about the existence and locations 10 of documents memorializing internal communications or 11 interaction regarding PCBs in or around the Pensacola 12 Nylon Plant, and that includes memorandum, handwritten 13 notes, e-mails, letters, facsimile transmission reports, 14 meeting minutes, presentations, due diligence, and all 15 laboratory testing? 16 A. Yes, I'm aware of such documents. 17 Q. You've looked at those? 18 A. I've seen some that are, specifically with 19 regard to this question, yes, I've seen such documents. 20 Q. Okay. And how is it that you came to see those 21 documents? 22 A. Well, a couple ways. Number one, I was 23 involved in some of those communications at various 24 times. And secondly, in my spotty, admittedly spotty 25 review of documents associated that have been produced

Page 53 1 in this litigation, I saw some of those types of 2 documents. 3 Q. Specifically what did you see? 4 A. Well, there were documents related to the 1969 5 spill. 6 Q. Is that all you saw? 7 A. No, there were also documents related to the 8 remediation of the, of a pond on the site in the late 9 1990s, early 2000s. 10 Q. And why was the pond, if you know, remediated? 11 MR. MERRILL: And I note for the record the 12 question calls for testimony beyond that as designated 13 in the deposition -- 14 Q. (By Mr. Stewart) -- one of the documents that 15 was remediated? 16 A. Because PCBs were found to be in some of the 17 materials in those, in that pond, the sediments in the 18 pond. 19 Q. Were the documents that were related to the 20 findings that were made at that time? 21 A. Basically, what I saw were, in my review, were 22 documents related to the, the agreement with EPA under 23 which that site was remediated. Those are the specific 24 documents I recall -- 25 Q. Was that placed in a landfill on site, the	Page 55 1 the records that are referred to in Paragraphs 1 through 2 14 on Exhibit 1, matters upon which testimony would be 3 required? 4 MR. MERRILL: Now, I'll object to that question 5 for the reason that it's asking a question about 6 something that's beyond the requirements of a 7 corporation under a 30(b)(6) notice. There's no 8 requirement of an investigation with third parties, but 9 you can go ahead and answer. 10 A. I did not speak to anyone at the plant. 11 Q. (By Mr. Stewart) You didn't talk to anybody? 12 A. Not at the plant, no. 13 Q. So that you'd be prepared to tell me whether or 14 not any of these documents existed that are referred to 15 in Paragraphs 1 through 14? 16 A. My understanding is that documents at the plant 17 were reviewed in response to the production request and 18 response of documents were produced. But I did not 19 speak to anyone specifically about the specific content 20 of those documents. 21 Q. Tell me if you would, Dr. Kaley, if there are 22 documents that are maintained, either at the plant site 23 in Pensacola or at the St. Louis office, that were 24 reviewed which were not provided to us? Do you know 25 whether or not there were?
Page 54 1 material that was in the impoundment area? 2 A. I'd have to review it to give you a specific 3 answer to that question. I believe it was placed on 4 site in a, in a, some sort of RCRA covered, I guess you 5 call it a landfill. I don't know specifically what 6 terms were used in the documentation. 7 Q. All right. But do you know where the 8 impoundment area that you're talking about is on the 9 site itself? 10 A. No, I don't. 11 Q. Okay. 12 A. Not as I sit here. 13 Q. Any other documents that you saw that were 14 related to 14? 15 A. Those are the ones that I recall. 16 Q. The spill in '69 and the 1995 impoundment area 17 that they talked about remediating? 18 A. Whenever it was. In that '90s-to-early-2000 19 time frame, yes. 20 Q. So it's my understanding that you just took a 21 spot-check of the documents that had been produced so 22 far in preparation for your testimony here today? 23 A. Yes. 24 Q. Did you talk to anybody at the plant site in 25 Pensacola and asked them about the existence of any of	Page 56 1 Because of some decision that was made by somebody 2 not to provide those documents to us that were related 3 to any one of the subject matters that you've been 4 called upon to testify about here today? 5 MR. MERRILL: And I note for the record that to 6 the extent that that question is, is asking about the 7 production process from, production process in general 8 or production of Ascend documents, that it's beyond the 9 matters designated in the deposition notice. But you 10 can answer. 11 A. My understanding is that the attorneys reviewed 12 the documents for privilege, for example. So it's 13 certainly possible that there were documents that were 14 in those files -- 15 Q. (By Mr. Stewart) Other than privileged, are 16 there documents that you know of that were not provided 17 to us because they weren't specifically asked for? 18 A. Not that I'm aware of. 19 Q. So if I ask about documents generally, then 20 they were provided to us? 21 A. If they were responsive to these production 22 requests, yes. 23 Q. But the lawyers made that decision? 24 A. Yes. Presumably. I don't, I don't really know 25 the answer to that but.

Page 57 1 Q. And you don't know who was involved at the 2 plant site in assisting, from Solutia, assisting in 3 gathering the documents? 4 MR. MERRILL: I'll object to the form of the 5 question. 6 A. I don't know specifically, no. 7 Q. (By Mr. Stewart) Did you talk to anybody at 8 Solutia in connection with this case other than the 9 woman that you mentioned previously? 10 A. No. 11 Q. So, in connection with your preparation of your 12 deposition here today, you did not talk to anyone other 13 than her? 14 A. I, I personally did not talk to anyone other 15 than her. 16 Q. Did someone on your behalf talk to anybody? 17 A. I believe Mr. Merrill had communications with 18 Solutia personnel on some of the issues, yes. 19 Q. Who would that be? 20 A. I don't remember specifically. Somebody, I 21 don't remember specifically. 22 Q. Where are Solutia's headquarters located? Are 23 you still working with them? 24 A. No. 25 Q. You retired?	Page 59 1 they were at Solutia took those records with them? 2 A. Yes. 3 Q. Do you know how many of those employees who 4 worked for Solutia went with Ascend? 5 A. No, I don't. 6 Q. Was it a fair number? 7 A. I have no idea, frankly. 8 Q. Were there some employees -- the answer to my 9 question indicated that there were some employees who 10 left Solutia and went with Ascend? 11 A. That's my understanding, yes. 12 Q. Was that, I guess you call it a sale or a spin- 13 off, was that done in such a way that the people who 14 made that purchase of that plant was a separate company, 15 or was it created to purchase the nylon production 16 facility? 17 A. I believe it was a pre-existing company that 18 bought the nylon process. 19 Q. Ascend was? 20 A. Yes. 21 Q. So they just took employees who were connected 22 from Solutia connected with the nylon process; is that 23 correct? 24 A. Some of them that they believe they needed for 25 their production, for their management of the process --
Page 58 1 A. Yes. 2 Q. Are you working as a consultant for them? 3 A. Occasionally, not very often. 4 Q. Are you working in this case as a consultant? 5 A. No. 6 Q. Are you doing any work for Ascend? 7 A. No. Excuse me, no. 8 Q. So Solutia's offices are located here in 9 St. Louis? 10 A. That's correct. 11 Q. That their home office? 12 A. Yes. 13 Q. Is it located near the offices that are 14 maintained by Monsanto here? 15 A. Well, I don't know what you mean by "near." 16 They're within several miles of them. 17 Q. Not in the same building? 18 A. No, they're not even, they're not on the same 19 site. 20 Q. It was at one time, was it not? 21 A. Just a very short interim period immediately 22 after the spin-off, but very quickly Solutia moved away 23 from the Monsanto site. 24 Q. Well, you indicated earlier that Ascend 25 employees who had maintained records of their own while	Page 60 1 Q. -- existed prior, wasn't like a spin off of 2 Solutia -- 3 A. It was not, definitely -- 4 Q. -- former Monsanto employees? 5 A. It was definitely not a spin-off. It was a 6 separate company that purchased the nylon facility. 7 Q. Well, how is it -- 8 A. Nylon business, there were -- 9 Q. How is it that you all managed to produce these 10 GNZ, which is, as I understand it, are Ascend documents? 11 MR. MERRILL: And I'll note for the record the 12 question calls for testimony beyond the matters 13 designated in the deposition notice. 14 A. I don't know specifically how that production 15 process -- 16 Q. (By Mr. Stewart) Do you know who went through 17 those matters at the Ascend plant in Pensacola and 18 provided those documents to us? Do you have any idea -- 19 A. My understanding was that it was Amy Dyer who I 20 mentioned earlier. 21 Q. Amy did that? 22 A. That's my understanding. 23 Q. And she was the one who stayed with them as a 24 result of the sale? 25 A. She was one of those, but she was already at

Page 61 1 the plant. She wasn't in St. Louis. 2 [The court reporter interrupted.] 3 A. Right. She was at the Pensacola plant, she was 4 not in St. Louis. 5 MR. STEWART: We've been going for about an 6 hour and 30 minutes. You want to take a short break? 7 MR. MERRILL: All right. 8 THE VIDEO TECHNICIAN: Off the record at 9 11:20 a.m. 10 [There was a break in the record.] 11 THE VIDEO TECHNICIAN: We are back on the 12 record at 11:32 a.m. 13 Q. (By Mr. Stewart) Dr. Kaley, let's go to 14 Plaintiff's Exhibit 2, and I want you to take a look at 15 that and I want to ask you about it. 16 And this is a document entitled the Plaintiffs 17 Objections and Responses to the Plaintiff's First 18 Request for Production of Documents. 19 I'm going to withdraw that, excuse me. We may need 20 that, but I'm not going re-number it. I'll just make 21 this three. We may go back to two. We'll make this 22 three. You got Exhibit 3 in front of you now? 23 A. I do. 24 [Plaintiff's Exhibit No. 3 was introduced.] 25 Q. (By Mr. Stewart) And this is the Defendants'	Page 63 1 Q. And we are referred to there in the MONS set. 2 It says MONS00001 through 100120 document collection and 3 to the DSW collection and the URS document collection. 4 Are those documents, to your knowledge, that were 5 provided to us in those three sets Bates numbered? 6 MR. MERRILL: I'm going to note for the record 7 the question calls for testimony beyond the matters 8 designated in the deposition notice. 9 Q. (By Mr. Stewart) Well, Dr. Kaley, you have 10 looked at, have you not, a set of those documents, some 11 of those documents? 12 A. Yes. 13 Q. From each of those collections? 14 A. Yes. 15 Q. And when you looked at those documents, they 16 had Bates numbers. You're familiar with what those are; 17 are you not? 18 A. Yes, the documents were numbered. 19 Q. And in looking at those documents, did you see 20 documents that fit of the question that was asked here? 21 A. I saw some documents that fit that, yes. 22 Q. Okay. And were they distinguishable from other 23 documents that you looked at? 24 A. I'm not sure what you mean by that. 25 Q. Well, some of these things had to do with
Page 62 1 Supplemental Objections and Responses to our First 2 Request for Production of Documents, and it was provided 3 to us, it's a complete document, make sure I got the 4 date here, April the 6th of 2010. 5 Just take a look if you would, at the Paragraph 1. 6 And if you would read that, I will ask you questions 7 about that supplemental response. 8 It has to do with permits, applications, reporting 9 forms, lab data or other documents in your possession, 10 custody and control that originated from, or purport to 11 originate from, or which were sent to, or purport to 12 have been sent to, the Florida Department of Public 13 Health, the Florida Department of Environmental 14 Protection, the Agency for Toxic Substances and Disease 15 Registry, the EPA, Federal Department of Transportation 16 or Occupational Safety and Health Administration, or any 17 other state or federal department or agency concerning 18 PCBs generally or the plant specific. Do you see that? 19 A. Yes. It says "PCXs generally." Is that a 20 typo? 21 Q. Must be, but refers to PCB. 22 A. Okay. 23 Q. They responded to that. You see the 24 supplemental response? 25 A. Yes, I see it.	Page 64 1 reports, some of those agencies that I'm talking about 2 in, in Paragraph 1? 3 A. Yeah, I mean -- 4 Q. Some of them were sent to those agencies, some 5 of the documents you looked at were not sent to those 6 agencies; is that correct? 7 A. Yes, there were a variety of types of 8 documents. 9 Q. And some of them fit the description of what we 10 asked for here in this Request for Production of 11 Documents? 12 A. Yes. 13 Q. And if one looked through those documents, he 14 could determine from the Bates numbering that was done 15 which of those documents were related to the question 16 that was asked here; is that right? You can distinguish 17 one from the other, couldn't you? 18 MR. MERRILL: Again, I'll note for the record 19 the question calls for testimony beyond the matters 20 designated in the deposition notice. 21 Q. (By Mr. Stewart) Go ahead, Dr. Kaley? 22 A. I didn't make that specific inquiry, but 23 presumably, you could make some decisions based on those 24 documents, yes. 25 Q. So if I asked you specifically for documents

Page 65 1 that dealt with reports to these agencies or 2 communications with these agencies, you could certainly 3 distinguish those types of documents from others that 4 might appear in this 100,000 pages of documents that had 5 been provided to us in the MONS set and then thousands 6 of pages of documents in the DSW and URS set? You could 7 distinguish that; could you not? 8 A. Presumably, yes. I didn't try to do that, but 9 presumably you could make some decisions along those 10 lines -- 11 Q. -- make that distinction as to a report or 12 something that wasn't a report, couldn't you, Dr. Kaley, 13 as you sit here today? 14 A. Yes, I guess. I mean, but again, the request 15 is very, I mean it's correspondence, permits, 16 applications, forms, data, you know, to and from 17 agencies. I mean that's a very broad, I would think a 18 very broad request. So, yeah, you could do that -- 19 Q. You can certainly distinguish the agencies and 20 the request that we made; did you not? 21 A. I'm sorry? 22 Q. You certainly, the question certainly 23 distinguishes the agencies that are, that is being, the 24 information being requested about -- 25 A. Yes, it does.	Page 67 1 objection. All I want you to do, if you've got an 2 objection, if you want to signal to him what you want 3 him to say, you know, I'll leave the room and allow you 4 to go through that. 5 MR. MERRILL: I'm going to instruct him not to 6 answer because as worded, it calls for him to disclose 7 the thoughts and impression of counsel. 8 MR. STEWART: Well, he was not involved, as I 9 understand it, in the process, Mr. Merrill. All I'm 10 asking is if there was some documents that were 11 different, and if you could designate documents. I'm 12 just asking -- 13 MR. MERRILL: -- that's not your last 14 question. That wasn't your last question. 15 Q. (By Mr. Stewart) Well, let me just ask. Was 16 there a way to designate the documents that fit the 17 description I've asked? You could just pick them out, 18 couldn't you? 19 A. I, I don't know. In general, I mean there, 20 certainly you could look at a document and decide 21 whether it fit in one of those classifications -- 22 Q. -- there are some documents that don't fit 23 those classifications in these sets of documents that 24 were provided to us; are there not, Dr. Kaley? 25 A. I would believe there are, yes.
Page 66 1 Q. And it talks about communications, permits, 2 applications, you know what those are; do you not? 3 A. Yes, generally, I mean. 4 Q. Lab data and other document -- 5 A. -- my idea what they were, but yeah. 6 Q. And some of the documents that are referred to 7 in that question are not necessarily some of the other 8 documents that you looked at in these production? USR 9 or URS rather, DSW or the MONS doc? Some of them are 10 different kinds of documents than what we've asked for 11 here? 12 A. Some of them, yes. 13 Q. Okay. And is it my understanding that Solutia 14 stands on its response to this request here that the way 15 to answer this question is just to refer us to a set of 16 documents that you all provided us? 17 MR. MERRILL: I note for the record the 18 question calls for testimony beyond that matters 19 designated in the deposition notice. 20 I think probably the witness does not know the 21 answer to the question, but if he does know the answer 22 to the questions, then I'm going to instruct him not to 23 answer -- 24 MR. STEWART: -- I'm going to ask you, if you 25 would, to make an objection and quit making speaking	Page 68 1 Q. And so as I understand it, the response here 2 just says, take a look at the documents we provided to 3 you; doesn't it say that? 4 MR. MERRILL: And again, I'm going to note for 5 the record that the -- 6 MR. STEWART: He can read, Mr. Merrill. 7 MR. MERRILL: -- testimony beyond the 8 matters -- 9 MR. STEWART: We're talking about the documents 10 that were provided us and the existence and location of 11 those documents, Charlie. And I'm just trying to figure 12 out what Solutia is relying on in response to our 13 questions that we asked in the interrogatories and 14 request for production of documents that we provided to 15 you. And if he can tell me that you can distinguish 16 those, I want that on the record. 17 MR. MERRILL: I didn't instruct him not to 18 answer. I'm just making my, my, my observation for the 19 record. 20 Q. (By Mr. Stewart) And, and is it fair to say 21 that the response that we got from Solutia is they just 22 said, Just look at the documents that we have provided; 23 isn't that what they're saying? 24 MR. MERRILL: I'm going to state that asking 25 the witness to characterize our responses to

Page 69 1 interrogatories is a matter not reasonably designated in 2 the deposition -- 3 MR. STEWART: We're talking about documents, 4 Charlie, that you all are relying on. What we're trying 5 to find out is what you are relying on. And just to 6 throw a bunch of documents at somebody and say, This is 7 what we're relying on, is not quite fair -- 8 MR. MERRILL: -- I disagree with what you say 9 in specifics and generally, but it's not, what you're 10 talking about and what your goals are are not the 11 questions that you're asking. You can continue with 12 your questions. 13 MR. STEWART: Well, I just want to know what 14 Solutia is relying on in connection with their response 15 to this particular question. 16 Q. (By Mr. Stewart) And is it fair to say that 17 what they're relying on, as far as you can see here, is 18 just the documents they provided to us so far? 19 A. They refer you to those document sets, yes. 20 Q. Now, are there any documents that would be 21 responsive to this request that have not been provided 22 to us; to your knowledge? 23 A. To my knowledge, no. 24 Q. Either in Pensacola, and when you say that, 25 you're speaking for Solutia; is that correct?	Page 71 1 want to ask you some questions about that. 2 A. Okay, I've read it. 3 Q. Now this asks for the presence of PCBs that 4 were collected at the Escambia River, Escambia Bay or 5 the areas surrounding those waters or at the plant site. 6 And again, we are referred to the DSW and URS and 7 MONS documents. Do you know whether or not there was 8 any testing in any of those documents that was done in 9 Escambia River, Escambia Bay or the areas that surround 10 the waters? 11 A. I didn't see any that specifically referred to 12 such sampling, no. I don't know. 13 Q. Is it your testimony here today on behalf of 14 Solutia that no such documents exist? 15 A. No. 16 Q. There may be documents that exist? 17 A. Yeah, if such testing has been done, they 18 would, the documents would certainly exist at the plant 19 and at URS, I would assume, to the extent that URS was 20 involved in such testing, if they were. I don't know 21 that they were. 22 Q. Do you know whether or not there was any 23 testing or sampling done in the area that would be 24 drainage areas on the plant site itself? 25 A. I don't know specifically if there was or not.
Page 70 1 A. Yes. 2 Q. Okay. Either in Pensacola or in St. Louis? 3 A. Yes, or at URS. 4 Q. Or at URS. Or in the DSW document? 5 A. Well, those would be in St. Louis. 6 Q. Okay. By the way, when y'all turned the 7 archives over to Solutia, did they maintain those here 8 in St. Louis? 9 A. I believe they were maintained in North 10 Carolina. 11 Q. In North Carolina? Are they still there? 12 A. No, no. 13 Q. Are they now located in St. Louis? 14 A. I believe they're in a warehouse here, yes. 15 Q. And would the additional document that were 16 added to that by Solutia during the time that they 17 maintained those archives, would that be in a warehouse 18 here? 19 A. I believe if they are part of that archive, 20 they would be in the warehouse, yes. 21 Q. Where is, do you have the particular address 22 for that? 23 A. No, I don't. 24 Q. Take a look at page four, please. Again, this 25 may be a misprint here, but can you read five, and I	Page 72 1 Q. Would those documents be located at the plant 2 if that was done? 3 A. Yes, or to the extent that URS was involved, 4 URS would also have such documents. 5 Q. And do you know what the purpose would be of 6 those documents, those documents indicate the purpose of 7 that? 8 A. I don't know the answer to that. 9 Q. Take a look at six. 10 A. Page six or No. 6? 11 Q. No. 6. Where would photographs and maps of the 12 plant be? 13 A. At the plant. 14 Q. Would historical photographs and maps be 15 maintained at the plant? Showing a historical layout of 16 the plant? 17 A. If they existed, they would be maintained 18 there. 19 Q. Are they generally maintained at, at, by 20 Solutia at plant site? 21 A. That's my understanding, yes. 22 Q. The historical data? 23 A. Maps and photographs? Yes. 24 Q. What's the purpose of that, Dr. Kaley? 25 A. I'm not, I don't know. Historical interest I

Page 73 1 guess. 2 Q. Well, if there was an impoundment or a landfill 3 area, you all maintain historical maps of those so you 4 know where they're located? 5 A. Presumably, yes. 6 Q. And those would be at the plant site? 7 A. Yes. 8 Q. Why would there be any need to narrow this 9 request to provide exemplars of the layout of the 10 Pensacola Nylon Plant? 11 MR. MERRILL: Note for the record that question 12 is asking for testimony about how counsel answered an 13 interrogatory is beyond the matters designated in the 14 deposition notice. 15 Q. (By Mr. Stewart) Aren't there, aren't there 16 general maps and layouts of the plant site, historical 17 layouts of the plant site that have little or nothing to 18 do with the use of PCBs? 19 A. I don't know -- 20 Q. -- at the plant site? 21 A. I don't know the answer -- 22 Q. -- wouldn't there be? 23 A. I don't know. 24 Q. You don't know whether they exist or not -- 25 A. I don't know, I don't know whether -- I guess	Page 75 1 those, those documents would have been generated, yes. 2 Q. And what would they show? 3 A. They would show the location of the various 4 solid waste management units. 5 Q. And is there any effort made to show what 6 affect they might have on, on a particular portion of 7 the property? 8 Let's just say a drainage area. Could you show the 9 effect it might have on that drainage area? 10 A. Well, in general I would say that the RCRA 11 process may or may not involve such exemplaries, 12 depending on how that solid waste management unit is 13 being managed. 14 Q. But if that unit is being managed in such a way 15 that may or may not affect the drainage area, it would 16 indicate that; would it not? The historical data would? 17 A. Well, the RCRA, what some RCRA report would. I 18 don't know what you mean by historical data necessarily. 19 I mean there are documents around RCRA 20 investigations that would discuss the various solid 21 waste management units and what, what was in them and 22 what the condition was, and if remediation was 23 necessary, what the remediation options would be. 24 Q. But if something drove remediation efforts, 25 such as a drainage area or the possibility of certain
Page 74 1 I'm not -- what was your question? I'm sorry. I need 2 your question repeated. 3 Q. Well, do you all generally have a layout of a 4 plant site that's related to the use of a specific 5 product, or do you have it related to just the layout of 6 the plant site itself? 7 A. It would be related to a specific process. 8 Generally, there would be layouts for specific processes 9 at the plant, not necessarily the use of a particular 10 product. 11 I mean if you're asking me is there a document that 12 says PCBs were used here, here, here and here, I don't 13 know. But frankly, I doubt it. 14 Q. Well, I would, too. So the layout of the plant 15 would have to do with the production of nylon there at 16 the plant site, wouldn't it? 17 A. Yes. 18 Q. And then if there were landfills and that type 19 stuff, those would be noted on the map or a layout of, 20 of, that might be done historically, wouldn't it? 21 A. They may or may not have been, I don't know. 22 Q. Impoundment areas would be; solid waste 23 management areas would be located -- 24 A. Well, certainly after RCRA went into affect and 25 the solid waste management unit concept came into being,	Page 76 1 substances leaving the plant site and getting into the 2 river, the reports would indicate that; would they not? 3 A. They might. Again, it just depends on the 4 specifics. I don't, I can't say that generally every 5 report about every solid waste management unit would do 6 that. But in general, if that's part of the 7 investigation, those reports would indicate that, yes. 8 Q. Take a look at No. 7. 9 A. Okay. 10 Q. Now, this talks about press releases, 11 advertisements, public pronouncements or warnings issued 12 by the Defendant pertaining to, it should be PCB 13 generally and the threat -- 14 [The court reporter interrupted.] 15 Q. (By Mr. Stewart) Or the lack of a threat of 16 same to the neighbors of the plant or to Escambia River, 17 Escambia Bay and all connected waterways. 18 If you look at the supplemental response on page six 19 and seven, it talks about document collections that have 20 been made available, contain press releases and public 21 announcements issued pertaining to the temporary 22 accidental release of PCBs in 1969 from the Pensacola 23 Nylon Plant; do you see that? 24 A. I see that. 25 Q. Is it your understanding, as you sit here today

Page 77 1 on behalf of Solutia, that that is the only press 2 release or public pronouncement about a threat to the 3 neighbors that exist in the documents that are located 4 at the Solutia plant, or now Ascend plant in Pensacola? 5 MR. MERRILL: I'll note for the record the 6 question calls for testimony beyond the matters 7 designated in the deposition notice which do not include 8 publicity. 9 A. Well, I would, I don't know that any of them 10 deal with, particularly with the threat to the neighbors 11 as its phrased. But I'm not aware of other, of press 12 releases or public announcements associated with any 13 other release of PCBs from the plant, and if there was 14 such. 15 Q. (By Mr. Stewart) What about any possible 16 releases? 17 A. I'm not aware of any press releases or public 18 announcements on, on that subject matter. 19 Q. You didn't see any in the documents that you 20 looked at? 21 A. No, I don't. Nor am I aware of any. 22 Q. Well, the only press releases that you saw from 23 Solutia in the documents that you looked at those that 24 refer to a release that took place in 1969? 25 A. Well, honestly, in the documents I looked, I	Page 79 1 A. I don't know the answer. It would depend on 2 the specifics -- 3 Q. (By Mr. Stewart) -- need for it? 4 A. It would depend on the specifics of the 5 situation. 6 Q. Let's just say they contaminated all of 7 Escambia Bay and it needed to be cleaned up. Would 8 there not be some need to respond on the part of 9 Solutia? 10 MR. MERRILL: And may I have that continuing 11 notice to this line of questioning so I don't need to 12 interrupt you -- 13 MR. STEWART: Certainly you can. 14 A. I can't speak for how Solutia or Monsanto would 15 respond to that situation. 16 Q. (By Mr. Stewart) It's been your experience in 17 the past, has it not, Dr. Kaley, that they respond 18 through the press? 19 A. If they're asked to respond, they do. 20 Q. To such information coming to their attention 21 about possible contamination of either a neighborhood or 22 a body of water that would be located near their plant 23 site? 24 A. If they're asked specific questions, they 25 respond to those questions, yes.
Page 78 1 didn't see any press releases or public announcements at 2 all. I saw internal documents discussing, discussing 3 that release, and I saw some regulatory documents, but I 4 didn't see any specifically press releases or public 5 announcements. 6 Q. Did you do a cursory review of the MONS 7 documents and the DSW documents to see if you could find 8 anything like that, or did you just spot-check it as you 9 previously mentioned? 10 MR. MERRILL: Wait, wait, wait. Again, I note 11 for the record the question calls for testimony beyond 12 the matters designated in the deposition notice which do 13 not include press releases and publicity. 14 A. I did. I did not do a specific search for 15 documents related to this question. 16 Q. (By Mr. Stewart) In the event, Dr. Kaley, based 17 on your experience both at Monsanto and Solutia, that 18 there was contamination in Escambia Bay from PCBs that 19 quite possibly came from this plant site, and something 20 was discovered about that say in the '90s, not '69 but 21 in the '90s, would there not be some response from, from 22 Solutia, or frankly Monsanto or Solutia? 23 MR. MERRILL: I'm going to note for the record 24 the question calls for testimony beyond the matters 25 designated in the deposition notice.	Page 80 1 Q. And they have a specific methodology, do they 2 not, for responding or, or model to follow under those 3 circumstances; do they not? 4 A. Not that I'm aware of. 5 Q. Now, the next one asks for all bid documents, 6 correspondence, contracts, specifications, invoices or 7 other documents as they, pertaining to, in the use of 8 independent contractors to inventory, study, remove, 9 apply or dispose of toxic or hazardous substances or 10 wastes at the plant, and we were referred again to the 11 MONS documents. Did you see any of those kinds of 12 references made in the documents that we were provided 13 specifically? 14 A. Specifically in the MONS documents? 15 Q. In any of those sets? 16 A. Yeah, in the URS sets, there were clearly 17 correspondence in the documents related to the use of 18 contractors. 19 Q. In connection with the reference to the removal 20 or disposal of PCBs from the plant site? 21 A. I don't remember PCB specifically, but the 22 question is disposal of toxic or hazardous substances or 23 wastes at the plant. 24 So to the more general question, I saw documents 25 with regard to PCBs. I don't recall seeing any specific

Page 81 1 documents with regard to PCBs. 2 Q. But if, if Defendants' counsel was, was told 3 that it applied to independent contractors, to 4 inventory, study, remove, apply or disposal of PCBs from 5 the Pensacola plant site, is it your testimony here 6 today that you did not see any such documents in what 7 had been provided to us? 8 MR. MERRILL: Object to the form of the 9 question. 10 A. With regard to PCB specifically, or with 11 regard -- 12 Q. (By Mr. Stewart) PCB specifically. 13 A. I, as, I don't recall seeing any that 14 specifically dealt with PCBs. But again, I didn't look 15 at every document, the URS production set or the 16 Pensacola production set for that matter. 17 Q. But you did see, did you not, Dr. Kaley, 18 documents in that set that could have been identified by 19 the Bates numbers that were located on the bottom of 20 those documents that related to contracts that they had 21 with outside vendors to remove or study toxic or 22 hazardous waste? 23 A. Well, the whole URS data set would have been, 24 would, I would, would basically fall within that 25 classification. I mean they were an independent	Page 83 1 Q. And correspondence too, back and forth? 2 A. There may have been, I don't know. It depended 3 on the project and contractor -- 4 Q. -- pretty good-sized project, would that have 5 taken place between say St. Louis and at the office here 6 on behalf of Solutia and the folks at the plant in 7 Pensacola? 8 A. It may have. I don't know that I saw any 9 specific documents of that type. But I certainly, for 10 instance, in my dealings with Anniston saw those kind of 11 documents at Anniston, yes. 12 Q. Did you see any of the kinds of documents that 13 I'm referring to, the correspondence and notes and 14 things like that between the Solutia headquarters here 15 in St. Louis and any project that might have taken place 16 just generally with regard to the disposal of hazardous 17 waste? 18 A. At Pensacola? 19 Q. Right. 20 A. No, I didn't see any specific documents that 21 would meet that characterization. 22 Q. Did you see any that were related to PCBs? 23 A. No. 24 Q. Now if RCRA or some federal agency was 25 involved, there would be correspondence, would there
Page 82 1 contractor that was contracted to investigate those 2 various subjects at the plant. 3 Q. Is it standard operational procedure for you 4 all to hire outside contractors to remove or dispose of 5 toxic substances when a large-sized project is involved? 6 A. Within, for Solutia, yes, that's definitely the 7 case. But Solutia did not and does not have the 8 in-house capability to do those kinds of investigations. 9 Q. So in the event that Solutia did anything like 10 that, it would have been with an independent contractor? 11 A. With the oversight of Solutia, yes. 12 Q. With somebody from Solutia working with the 13 project manager to make sure it was done according to 14 what you all had asked for? 15 A. That's correct. 16 Q. And where would those documents be located? 17 A. They could be at the plant; they could be at 18 St. Louis; they could be at the contractor. Could have 19 been. 20 Q. Now generally, there is correspondence related 21 to that too; is there not? 22 A. To the formalization yes, certainly. 23 Q. And there's also internal conversations that go 24 on in connection with that; are there not? 25 A. I'm sure there are conversations, yes.	Page 84 1 not, between those agencies and the plant? 2 A. Either the plant or the contractor, yes. 3 Q. And was it your experience, when you worked at 4 Solutia, that there would be documents that pertained to 5 the preparation that you all might have that were 6 memorialized what you would do prior to the time you 7 went in and met with the federal agency? 8 A. I don't have any specific recollection of any 9 documentation of that kind of stuff. I can't -- 10 Q. -- meetings about it or -- as I recall, when 11 the task force met, determined what to do about PCBs in 12 Anniston, there were numerous documents that related to 13 the meetings that were held in connection with your 14 efforts to do something about that. 15 A. I, I don't remember, frankly I don't remember a 16 "task force" anyway, but I don't recall those kinds of 17 documents there. They may very well have existed, but I 18 don't, I don't have a specific recollection to that. 19 Q. Well, let's just say you determined that there 20 was some problem with PCBs at the plant site after '69. 21 You mentioned, for instance, the '95 problem, what, in 22 the '90s, early '90s dealing with an impoundment? 23 A. Yes. 24 Q. Were there not notes made by people who were 25 meeting with federal officials at that time frame that

Page 85 1 you saw? 2 A. Not that I saw. 3 Q. Sir? 4 A. Not that I saw. I don't know. 5 Q. So you don't recall seeing any notes? 6 A. No. 7 Q. Would there not be, if there were meetings held 8 between employees, among employees of Solutia, would 9 they not keep minutes of those meetings? 10 A. I don't know. 11 Q. If it dealt with a large-sized project that had 12 to do with say the removal of a huge amount of PCB-laden 13 waste, wouldn't there be minutes from those meetings? 14 A. I don't know. 15 Q. So there's no requirement for you all to have 16 any kind of record made of the meetings that you have 17 with or among yourselves at Solutia? 18 A. Not that I'm aware of. 19 Q. What about conversations that you might have 20 with federal officials? 21 A. I don't think there's any requirement that 22 those are memorialized. 23 Q. Well, are notes generally made about meetings 24 with federal officials? 25 A. They could be. I don't know that they're	Page 87 1 Q. -- differences -- 2 A. -- differences. 3 Q. Which would be better to look at? The June 4 2004 or 2002? 5 A. I would think the latest. 6 Q. Okay. 7 A. Later. 8 Q. Would you take a look then at, at, let's see if 9 I got, is 004476 is the page number. 10 A. All right. 11 Q. I think it says at the bottom of the page down 12 there, and you correct me if I'm wrong, but it appears 13 that the company requires, company copy of relevant 14 correspondence and notes of conversations, meetings with 15 government and originating office file, and this has to 16 do with regulatory agencies and compliance and that type 17 stuff. Looks like that record's supposed to be kept 18 permanently; and am I correct? 19 A. That's what it says, yes. 20 Q. So if you're dealing with a governmental agency 21 and you have, and this was in effect, would this have 22 been in effect in '95? 23 A. No, Solutia didn't exist in '95. 24 Q. So, did Monsanto have a similar policy? 25 A. They had a policy. I don't know, I, as I sit
Page 86 1 "generally" made. It's possible. 2 Q. Sir? 3 A. I'm sorry? I said they could be made, I don't 4 know that they are "generally" made. 5 Q. What is the retention policy in connection with 6 those notes that are made in connection with 7 conversations that you might have with federal officials 8 or state officials? 9 A. I'd have to refer to the documents. I'd be 10 happy to do that. 11 Q. Can you do that? 12 A. Sure. You're referring to Solutia? Because 13 that's why I'm here obviously. 14 Q. Yeah. By the way, before you get started on 15 that, this may be the same, but I've got Solutia 16 Incorporated Records Retention Manual dated May of 2002. 17 And then I have Solutia Incorporated Records Retention 18 Manual dated June of 2004. Was it revised in June of 19 2004? 20 A. It was re-issued. I'm not sure it was revised 21 in any significant manner. 22 Q. It would be the same? 23 A. In general outline, yes. I don't, I don't, I 24 didn't, again, go page by page, but I don't recall there 25 being any specific --	Page 88 1 here, without looking I couldn't say that it's the 2 same. I would think it would be similar. I don't think 3 the policy changed much when Solutia was spun off. 4 Q. Well, can you look at the Monsanto document and 5 tell me whether or not that -- 6 A. I suppose I can at some point. 7 Q. Do you want to do that during lunch? Maybe we 8 can do that during lunch if that's what you want to do? 9 A. That's fine. 10 MR. STEWART: And I've got 12:00, is that the 11 same time here, Charlie? 12 MR. MERRILL: Yeah, same thing 13 MR. STEWART: What do you all want to do for 14 lunch? We can stop right here if you want to. 15 THE VIDEO TECHNICIAN: We'll go off the record 16 at 12:11 p.m. 17 [There was a break in the record.] 18 THE VIDEO TECHNICIAN: We are back on the 19 record at 12:54 p.m. 20 Q. (By Mr. Stewart) Dr. Kaley, let's go back to 21 Plaintiff's Exhibit 1 if we could, and that's the Second 22 Amended Notice of the Video Deposition. 23 A. I have it. 24 Q. And did you understand that you were to be 25 designated today, let's take a look at Paragraph 3 on

Page 89 1 page two. Did you understand that you would be 2 designated today to discuss the existence and location 3 of documents regarding those topics that are listed in 4 Paragraph 3? 5 A. Yes. 6 Q. And is it my understanding from your testimony 7 previously that you cannot tell me that, let's just take 8 the first word after "the," of the existence of 9 documents that are related to those matters that are 10 discussed in Paragraph 3, other than just generally 11 reciting for me that they're probably located either at 12 the offices of Solutia in St. Louis, or Ascend, or maybe 13 in these documents that had been provided to us, or 14 maybe at the plant site, is it just a maybe, Dr. Kaley? 15 A. Well, no, to the extent they exist, they exist 16 today at Ascend, at the plant site, and probably at, 17 they're probably at URS. I assume that many of these 18 features that are discussed in this paragraph would be 19 features that would be involved in outside contractor 20 investigations at the plant. 21 Q. Well, I guess what I'm saying is, can you, when 22 I talk about the existence of those documents, do you 23 understand that to mean, Dr. Kaley, that I'm asking you 24 about specific documents? Let's just take one out of 25 that list, and can you tell me where I would find those	Page 91 1 Q. Well, that talks about the existence of such 2 documents which means, do they actually exist or are 3 they, are there such documents, doesn't it? 4 A. Yes. 5 Q. Okay. But you don't know that, do you, as you 6 sit here today? 7 A. I believe, I don't know, I have not seen a 8 document that specifically addresses the topography of 9 the plant. However, I have seen documents, not 10 necessarily from Pensacola but from other places, where 11 RCRA investigations and other types of investigations do 12 investigate the topography, and I am making assumptions 13 that those kinds of documents exist in the URS files 14 because they have done those kinds of investigations. 15 Q. Well, don't you understand, didn't you 16 understand, as you came here today, that we were talking 17 about the Pensacola Nylon Plant? That that's what this 18 suit was about? 19 A. Yes. 20 Q. And that that was the plant that was located at 21 3000 Old Chemstrand Road in Cantonment, Florida, did you 22 understand that? 23 A. Yes. 24 Q. And didn't you understand your responsibility 25 was to be able to tell me whether or not such documents
Page 90 1 documents that regard to topography of water features, 2 are natural and manmade? Where would I find that? 3 A. At the plant or in the URS files to the extent 4 they exist. I mean those kinds of, that kind of 5 information is available in the kinds of investigations 6 that URS does -- 7 Q. -- I'm just asking you really if they exist. 8 Because the first portion of this question, and I got 9 sort of thrown off this morning, but the first portion 10 of this morning is, if such documents exist? 11 A. I'm sure in this particular case, such 12 documents do exist -- 13 Q. Do you actually, do you actually know that they 14 exist? 15 A. I have not seen those document, no. I've not 16 seen such documents -- 17 Q. You've made no effort to determine whether or 18 not those documents did exist and where they were 19 located? 20 A. Not specifically, no. 21 Q. Well, what did you understand your role to be 22 as a 30(b)(6) representative of Solutia at this time? 23 A. My role was to address the questions that are 24 addressed in your deposition, or your notice of 25 deposition to this --	Page 92 1 as this existed and where we would find it? 2 A. I did not review every document that has been 3 produced in this case. 4 Q. No, sir. I didn't ask you that. My question 5 was, did you not understand that you were to determine 6 if such documents existed, as a 30(b)(6) representative 7 of Solutia, and the location of those documents? 8 A. Not specifically -- 9 Q. -- responsibility? 10 A. Not specifically to determine if the document, 11 every document addressed in here exists, no. My, I 12 understood my responsibility to address the question 13 that if documents to those, if those documents of that 14 kind do exist, where would they be and would they have 15 been included in the production. 16 Q. Who told you that? 17 A. That was my understanding from Counsel. 18 Q. So when I ask, and Counsel said earlier for 19 Solutia, matters upon which testimony would be required, 20 you were told you really didn't have to determine if 21 such documents existed? 22 MR. MERRILL: I'm going to object to the 23 question as worded and then instruct the witness not to 24 answer. 25 MR. STEWART: Now --

Page 93 1 MR. MERRILL: Attorney-client privilege -- 2 MR. STEWART: I understand that, Charlie, but 3 this is a 30(b)(6) representative and you've designated 4 him as a representative for Solutia, and I've traveled 5 up here and hired these folks to take this deposition, 6 and you know darn good and well that the existence of 7 documents mean, do these documents actually exist? 8 That's all it could mean. 9 MR. MERRILL: Right. 10 MR. STEWART: It's just the English language. 11 MR. MERRILL: I understand. 12 MR. STEWART: But I'm talking about documents 13 regarding the topography and location of the buildings. 14 It's obvious this witness doesn't really know that. 15 He says it might be, and it might be in the URS 16 document. It's obvious that he hasn't done what he's 17 supposed to do -- 18 MR. MERRILL: -- as I noted earlier, this 19 witness does not have the responsibility for Solutia of 20 going out to a third party company to finding answers to 21 these questions. Solutia doesn't have these documents 22 anymore. 23 MR. STEWART: Oh, so we're going to play who 24 dropped the pea, the existence, location -- well, 25 Solutia had these documents and gave them to them.	Page 95 1 MR. MERRILL: I've not hidden any pea. I 2 disagree with that. 3 MR. STEWART: Well, I don't. 4 Q. (By Mr. Stewart) Let's take a look at four on 5 the next page, Dr. Kaley. Before we leave three, are 6 you telling me that Solutia doesn't maintain any 7 documents that would be relevant to this question? 8 Every single document has to do with the topography, 9 location of buildings, water features, natural and 10 manmade, all those items that I mentioned there, all 11 went to Ascend? 12 A. Yes. 13 Q. Every single one of them? 14 A. To the best of my ability to answer that 15 question, yes. 16 Q. Well now, how did we get the URS documents? 17 Just, you all told us that's where they existed? 18 A. Yes. 19 Q. Well, how did we get the MONS documents? 20 A. That was in response to production request 21 from. 22 Q. Solutia? 23 A. From, of my understanding, of all three 24 defendants, Solutia, Pharmacia and Monsanto. 25 Q. Are you telling me that there's no documents
Page 94 1 MR. MERRILL: Yeah. Yes. They've owned them. 2 Ascend bought them. Ascend bought these, became the 3 owner of these documents in -- 4 MR. STEWART: -- Charlie? 5 MR. MERRILL: I do. And you didn't serve 6 discovery on them until a month ago. You waited two 7 years after their formation to serve discovery on them. 8 MR. STEWART: He's supposed to be -- why in the 9 world did you find these documents with Ascend? Why did 10 you do that? 11 MR. MERRILL: I'm not here, I'm not the 12 deponent today. 13 MR. STEWART: Well, I know you're not the 14 deponent, but you certainly provided me with documents 15 from Ascend, so let's let the record -- 16 MR. MERRILL: -- good thing I did or you still 17 wouldn't have them. Because you just, you just served a 18 discovery request on Ascend last month after they've 19 been in business two years and they've been in the 20 lawsuit for a year and a half. 21 MR. STEWART: Well, you're such a good guy. I 22 really appreciate that. 23 MR. MERRILL: Apparently not. 24 MR. STEWART: No, I don't appreciate that. I 25 don't appreciate the way you've hidden the pea.	Page 96 1 regarding the topography, location of buildings and 2 water features, natural and manmade, sewers and ditches 3 and similar controls for managing storm and process 4 waters, wells, impoundments and any other such 5 improvements at the Pensacola Nylon Plant in the 6 possession of Solutia at all? 7 A. Today, there should not be, no. 8 Q. Every single document is with Ascend? 9 A. Should be, yes. 10 Q. In connection with any of the topics that I've 11 mention here? 12 A. Well, I think some of the, some of the topics 13 have documents that relate back to historical situations 14 that are in the Monsanto litigation archive. 15 Q. Where, which ones are those? 16 A. Well, we've talked about a number of them. 17 Q. Let's talk about them again. 18 A. But they probably also, Solutia doesn't have 19 any of them. I mean that's the simple answer. Solutia 20 doesn't have any of the documents. They do not have the 21 Monsanto litigation archive; they don't have the MONS 22 set; they don't have the DSW set; they don't have any of 23 these sets. They don't have any of these documents. 24 Q. Who would have those? 25 A. Well, Monsanto has the litigation archive and

Page 97 1 the document sets derived from that which would be MONS 2 and DSW. Pensacola plant, Ascend has the GNZ documents, 3 URS and their now-employer Ascend has the URS documents. 4 Q. So, none of the documents that we're talking 5 about in this deposition, I mean this 30(b)(6) notice 6 were the property of Solutia? 7 A. Now you've switched from "were" to "are," or 8 from "are" to "were." You were asking me today, does 9 Solutia have any of these documents? The answer is no. 10 Did Solutia at one time have some or all of these 11 documents? The answer is yes. 12 Q. -- did you look at in, in preparing for this 13 deposition? 14 A. The documents that were produced in response to 15 your request. 16 Q. Well, weren't some of those documents produced 17 to us by Monsanto and by Solutia? 18 A. They were produced, my understanding is they 19 were produced by Monsanto, Solutia and Pharmacia in 20 response to a joint request. Or a request to those 21 companies jointly. 22 Q. Can you tell us which one of these topics are 23 covered in those? Because we've been referred to the 24 MONS documents, the DSW documents, and the Florida-PCB 25 documents.	Page 99 1 A. And then when Solutia entered bankruptcy, they 2 were all given back to Monsanto. 3 Q. When they did what now? 4 A. When Solutia went into bankruptcy, the PCB 5 archive was given back to Monsanto. 6 Q. And where are they today? 7 A. In a warehouse somewhere in the St. Louis area. 8 Q. Well, then where were the documents provided to 9 us by Solutia? Where did that come from? 10 A. The documents provided -- 11 Q. The MONS documents and the DSW documents, how 12 in the world did that happen? How in the world did you 13 all happen to get those? 14 A. The, my understanding is the discovery request 15 was propounded to all three defendants, Monsanto, 16 Solutia and Pharmacia. 17 Q. I understand that, but what I'm asking you, 18 Dr. Kaley, is do you have access to the documents that 19 we're asking you about in three, four, five, six, seven, 20 eight, nine, ten, 11, 12, 13, and 14? 21 Those are the documents that talk about the 22 existence and location of documents that, that have to 23 do with particular topics. Do you all have access as 24 Solutia to those documents? 25 A. I, I don't know the answer but I doubt very
Page 98 1 A. All of them. I mean there are documents in 2 those data sets that respond to every one of these. 3 Q. Okay. And do you know if those are the total 4 number of documents, let's just say for this first 5 topic, that exists as far as Monsanto and Solutia are 6 concerned? 7 MR. MERRILL: And I'm going to note for the 8 record, the question calls for testimony beyond the 9 matters designated in the deposition notice to the 10 extent it refers to Monsanto -- 11 Q. (By Mr. Stewart) I'm asking you if, if Solutia 12 is the person -- well, didn't you all inherit, as I 13 understood it, you all inherited this Solutia document, 14 I mean the Monsanto documents related to PCB, didn't 15 you? 16 A. At one point. Well, I don't know about all. 17 We certainty at one point -- 18 Q. -- I thought that was previous testimony. We 19 can go back over it, but I thought that was your 20 previous testimony. I'm just trying to find the pea, 21 Dr. Kaley. 22 And my understanding is, from your previous 23 testimony, I'm getting a little older but not quite that 24 old, that you told me that you all inherited those from 25 Monsanto when you all were spun off in '96?	Page 100 1 sincerely if Solutia has access to the Ascend -- 2 Q. -- 30(b)(6) representative, and you don't know 3 whether they have those, access to -- 4 A. I don't know, I don't know the details of the 5 sale agreement as to whether Solutia has access to, you 6 know, documents that have been transferred to Ascend or 7 not. I would have to look at the terms of the sale. I 8 doubt it but it's possible. 9 Q. -- Ascend didn't get the archives, did they? 10 A. No, Monsanto has the archive. 11 Q. Okay. And Ascend didn't get the MONS 12 documents, did they? 13 A. They were part of the archives, no. 14 Q. Okay. And the DSW documents they didn't get, 15 did they? 16 A. Part of the archive, no. 17 Q. So, are you all out of bankruptcy now? 18 A. Am I out? I'm not. I don't work for 19 Solutia -- 20 Q. No, Solutia -- 21 A. -- Solutia is out of bankruptcy, yes. 22 Q. Okay. Did they not get the archives and 23 documents back? 24 A. No. 25 Q. Those remain with Monsanto and Pharmacia?

Page 101 1 A. Yes. I believe they have access to them, but I 2 don't know, I don't even know that for sure. 3 Q. Now, Dr. Kaley, haven't you testified in cases 4 dealing with, dealing with PCB? 5 A. Yes. 6 Q. Recently? 7 A. Recently? How recently? 8 Q. Well, more recently than 1996, let's put it 9 that way. 10 A. Certainly. 11 Q. What are some of the cases you've testified in? 12 A. Well, I've testified in a number of the 13 Anniston cases. 14 Q. Have you ever testified in a case in the 15 Southern District of Illinois? 16 A. I may have. 17 Q. Involving a Krutsinger versus Pharmacia 18 Corporation? 19 A. Yes, I did testify in that. 20 Q. And were you involved in the gathering of 21 documents in that case? 22 A. No. 23 Q. Were you involved in the review of documents in 24 connection with that case? 25 A. I reviewed documents from that case but not in	Page 103 1 case. Is that plant one of the plants that was 2 transferred to Solutia? 3 A. Well, the plant, there was no plant involved in 4 the Krutsinger case. She was an employee of Illinois 5 Power. 6 Q. Okay. But -- 7 A. It did not involve a plant at all -- 8 Q. Who owned the St. Clair County facility? 9 A. Today? Solutia owns it today, but that 10 litigation had nothing -- 11 Q. -- was that one of the plants that was 12 transferred to, to them? 13 A. Yes. 14 Q. Okay. And you made an affidavit in that case 15 in connection with a woman who was injured as a result 16 of a blown-up transformer; is that what happened? 17 A. She claims she was injured as a result of that. 18 Q. I understand that. I understand that. 19 MR. MERRILL: And by the way, I note for the 20 record that all of this is beyond the matters stated in 21 the deposition notice. 22 MR. STEWART: It may not be. It may not be. 23 Q. (By Mr. Stewart) Certainly after that plant was 24 spun off to St. Clair, I mean it spun off to Solutia, 25 you were an employee of Solutia; were you not?
Page 102 1 the terms of, was I involved in attorney review for 2 privileged log or anything like that, no. I wasn't 3 involved in a review to decide what to produce. 4 Q. And who were you working for at that time? 5 A. Who was I working for at that time? 6 Q. Yes, sir. 7 A. What was the date? 8 Q. Well, the date, I don't see a date on here. I 9 just have an affidavit from that case. But -- 10 A. Well. 11 Q. -- affidavit involving a case against 12 Pharmacia, it was certainly after Pharmacia was formed? 13 A. I believe I was working for myself. I believe 14 I was retired and self-employed at the time of the 15 Krutsinger file, I'm almost sure I was. If it was after 16 2003, I was self-employed. 17 Q. Who owned the plant that was the subject of 18 this, the St. Clair facility in St. Clair County, 19 Illinois? 20 A. At what point in time? 21 Q. At the time of that case. 22 A. Well, I don't know, I don't recall what the 23 time of that case was. It was one of the plants 24 transferred to Solutia at the time of the spin -- 25 Q. Well, it was a St. Clair County, Illinois	Page 104 1 A. For some period of time after the transfer, 2 yes. 3 Q. How long did you work for them? 4 A. About six years. 5 Q. Okay. And the suit was against Pharmacia and 6 not against Solutia? Was Solutia involved in the suit? 7 A. I don't recall. 8 Q. You said you worked as a consultant for them? 9 A. I have worked as a consultant. I believe in 10 that litigation, you won't tell me what the date was, so 11 I don't know. 12 Q. Well frankly, I don't have it on the document 13 that was provided to me. 14 A. I believe I was, I believe it was after 2003, 15 and I believe I was consulting with counsel for Monsanto 16 in that litigation. 17 Q. For Monsanto? 18 A. Used generically, yes. 19 Q. When you say -- because I ran into this last 20 time we had to try to figure out which hat fit. But in 21 any event, what I'm trying to find out is, were you 22 testifying not only for Pharmacia or Monsanto, as you 23 say using it generically, but was Solutia also 24 involved? That's all I'm asking. 25 A. I don't know. I don't know if they were a

Page 105 1 defendant or not. 2 Q. Not aware of it. Which law firm represented 3 them at that time? 4 A. The Husch firm. Well, hold it. Represented 5 Solutia? I don't know the answer to that. The firm 6 representing the defendants in the Krutsinger case was 7 the Husch firm. 8 Q. Do you know the plaintiff's lawyer involved in 9 that? 10 A. I've met him. Given enough time, I might be 11 able to come up with his name. 12 Q. Is he from here? Is he from Illinois -- 13 A. He's from Illinois. 14 Q. Okay. And was that suit filed in Illinois? 15 A. If that's, yeah, I believe, yes. I mean it was 16 tried in Illinois, so I suppose -- 17 Q. -- deposed? 18 A. Yes. 19 Q. Were you deposed with reference to documents 20 that were introduced in the file? 21 A. No. 22 Q. What, what were you deposed about in that case? 23 A. Generally Monsanto's history with the 24 manufacturing and sale of PCBs, properties of PCBs, 25 chemical properties.	Page 107 1 in the possession of Solutia; that is correct. 2 Q. And that has been true since the sale to Ascend 3 or the bankruptcy of Solutia? 4 A. Well, the documents, the transfer of documents 5 from Solutia to Ascend took place over a period of 6 months after the actual date of the sale. 7 Q. The date of that sale was September of 2009? 8 A. I'm thinking it was June, but it doesn't 9 really, somewhere in that time frame. 10 Q. -- 2009? 11 A. Yes. 12 Q. And so for months after that, the transfer of 13 documents took place? 14 A. For a period of about six months is my 15 understanding, yes. 16 Q. Six months? And so what other documents that 17 are, have been looked through and provided to us, the 18 MONS and DSW, and there's some documents with MCL Bates 19 stamp prefix and Florida-PCB, all of those came from 20 either Ascend, well, really from either Monsanto or 21 Pharmacia? None of them came from Solutia? 22 A. Well, my understanding is Solutia has "access" 23 to those documents. So to the extent that Solutia has a 24 responsibility to respond to discovery in these cases 25 that involves those databases, they have access to them
Page 106 1 Q. So basically just technical information about 2 the properties of PCBs and the sales of PCB? 3 A. Totally. 4 Q. So the issue you were testifying about is 5 whether or not there were PCBs in the transformer that 6 blew up and injured her? 7 A. No, I was testifying about Monsanto's 8 historical involvement in PCB issues, not anything 9 specific about that transformer. 10 Q. Well, the affidavit referred to it, that's the 11 only reason I asked. 12 A. Well, I mean, the PCBs in that transformer were 13 measured by someone, not us, and I was aware of those 14 measurements, but that wasn't the crux of my testimony. 15 I'm not even sure I mentioned that transformer in my 16 testimony. 17 Q. The affidavit did -- 18 A. Well, you haven't shown me the affidavit and I 19 don't recall it, so I can't really address what's in it 20 or not. 21 Q. So it's your testimony here today that none of 22 these documents that have been provided to us so far 23 came from Solutia? 24 A. None of the, my understanding is that none of 25 the documents that we have discussed today are presently	Page 108 1 but they don't have possession of them. That's my 2 understanding. 3 Q. Well, tell me what you mean by that? 4 A. I mean in a case like this, if Solutia's a 5 defendant and there are questions that, for production 6 that require production of documents that come from the 7 PCB archive, that Solutia can produce documents from 8 that archive in response to those production requests. 9 Q. So, in fact, if there was some MONS documents 10 that were responsive to, let's say Paragraph 3, that had 11 to do with topography of some of the areas that we 12 mentioned today, Solutia has the capability to take a 13 look at the records that were maintained by Pharmacia 14 and Monsanto and produce those to us? 15 A. If that were the case. But with regard to 16 MONS, I don't think any documents responsive to three 17 would be in MONS, but that may be a technicality. I 18 mean MONS is health and safety and environmental. 19 Q. Well, if there was some questions having to do 20 with that, such as six, take a look at six on page 21 three, the existence and location of documents 22 memorializing communications or interactions with 23 environmental and water regulatory agencies including 24 but not limited to, and it lists a number of agencies, 25 both state and federal, there would be documents such as

Page 109 1 that in the archives; would there not? 2 A. There could be. 3 Q. And are you telling me as you sit here today as 4 a 30(b)(6) representative from Solutia that they had 5 access to those documents? 6 A. I believe Counsel for Solutia had access, would 7 have access to those documents. 8 Q. Is that based on an agreement that you all had 9 with Monsanto and Pharmacia when those documents were 10 turned over to them when Solutia filed for bankruptcy? 11 A. That would be my understanding, but I don't 12 know that specifically. I don't know the terms of that 13 agreement. But that's, as I sit here as Bob Kaley, 14 that's my understanding. 15 Q. Well, Solutia would have that understanding too 16 because it was a written agreement that was entered into 17 by Monsanto and Solutia; was it not? 18 A. But I don't know the details of that agreement, 19 so I don't want to, I can't testify as to what it says 20 or doesn't say specifically. 21 Q. Well, wouldn't that be necessary for you to 22 take a look at that document in order to determine 23 whether or not you have the right to make a 24 determination on behalf of Solutia about the existence 25 and location of documents that respond to Question 6?	Page 111 1 A. They could be. 2 Q. And very well would be; wouldn't they, 3 Dr. Kaley? 4 A. Yes. 5 Q. And you didn't see it as your responsibility to 6 make a determination as to whether or not they did exist 7 as a 30(b)(6) representative for Solutia? 8 A. I saw, I saw documents in the production sets 9 that were responsive to that. 10 Q. No, sir. I'm talking about to make a 11 determination as to the existence of those, and then 12 where they came from? Says existence and location, 13 Dr. Kaley. 14 A. All right. So the documents exists, the ones I 15 saw came from the archive. 16 Q. So, they were produced by Solutia? 17 A. And Pharmacia and Monsanto. 18 Q. And you didn't see, as I understand it, all of 19 the documents that were referred to in six, did you? 20 A. Well, I don't know that all those documents 21 even exist. That's the point. I, I don't know whether 22 there's, you know, I did not see any document between 23 Solutia or anyone in the United States, I guess that's 24 supposed to be states, States Army Corps of Engineers. 25 If those documents exist, they would have been at
Page 110 1 MR. MERRILL: I'll object to the form of the 2 question, and note that in part, it calls for testimony 3 beyond the matters designated in the deposition notice. 4 A. It's not something I determine I should review, 5 no. 6 Q. (By Mr. Stewart) But if you had access, or 7 Solutia had access and you were a 30(b)(6) 8 representative of Solutia, then you could determine 9 whether or not the documents that I ask about in 10 Paragraph 6 would exist, wouldn't you? 11 MR. MERRILL: I'm going to object, I'm going to 12 note for the record that the topic that's being 13 acquired, inquired upon, which is whether specific 14 documents exist within a specific document set, is not a 15 matter of this designated with reasonable particularity 16 in the deposition notice. 17 Q. (By Mr. Stewart) You know, it asks for specific 18 documents that memorialize communications, whether or 19 not they exist, or interactions with environmental water 20 regulatory agencies, that's what I was asking about. 21 A. Well, those, those documents do exist. Largely 22 at the plant and not in the, the archive. 23 Q. Well, they very well could be some of those 24 historical documents that were located in the archive; 25 could they not?	Page 112 1 the plant, they would have been transferred to Ascend. 2 Whether I, but whether there is a actual document 3 memorializing communication with the United States Army 4 Corps of Engineers, as I sit here today, I don't know. 5 I have not seen such a document. 6 Q. Well, the next one is the existence and 7 location of documents that memorialize communications or 8 interaction regarding PCBs with all of those agencies, 9 environmental and water regulatory agencies. 10 And what I'm asking you is, are you telling me that 11 those were deleted as far as a nylon plant in Pensacola 12 from the archives and provided to Ascend at the time 13 Solutia sold that plant to Ascend? 14 A. No. They were, nothing has ever been deleted 15 from the archive. 16 Q. Well, then I though you earlier told me that 17 you all maintained in the archives those things that had 18 to do with health and safety issues and environmental 19 issues? 20 A. If, by "you all" you mean Solutia, Solutia does 21 not own that database, that archive -- 22 Q. I understand -- 23 A. -- do not maintain it. 24 Q. No. I understand, but at the time Solutia 25 existed?

Page 113 1 A. Okay. Solutia still exists, but okay. 2 Q. But had the archive and worked with the 3 archive, they provided documents on a regular basis as 4 Monsanto did to that archive. That's what you 5 previously told us. 6 A. No. I would, I would not, I did not say they 7 regularly provided, presented or added documents to that 8 archive. I said there were occasions when documents had 9 been added to that archive that were discovered, for 10 instance, in your sweep of the documents during the 11 Anniston litigation. 12 But it's not a regular process. There's no regular 13 schedule. There's not a process to do that. 14 Q. But from time to time, they were added by 15 Solutia -- 16 A. That's my understanding. Well, I guess during 17 the dependency of the Anniston litigation, if Solutia 18 was still in existence at that particular time, it would 19 have been by Solutia, yes. 20 Q. And those were historical documents that had to 21 do with the interaction, let's just say you sold the 22 plant to Ascend in 2000, was it 2004? 23 A. Sold the plant to Ascend in 2009. 24 Q. 2009. So if there was some interaction with 25 these folks in 2004, Solutia would have had a copy of	Page 115 1 the archive. 2 Q. And what would they be, how would they be Bates 3 numbered; do you know? 4 A. How would what be Bates numbered? 5 Q. Those documents? 6 A. That aren't in the archive? 7 Q. They are in the archive -- 8 A. No, I just said they -- documents related to 9 environmental incidents in the 2004 time frame, I'm 10 almost sure would not be in the archive. They would 11 have been maintained at the plant, or in the URS files, 12 or possibly in the Solutia files. Headquarters' files. 13 Q. In what now? 14 A. What now what? I'm sorry. 15 Q. I'm just trying to find out where we would find 16 these things. That's what I'm -- 17 A. The 2004 documents? 18 Q. Yeah. If something was done in 2004, where 19 would we find that? 20 A. It would either be, my understanding, in the 21 GNZ data set or in the URS data set. 22 Q. Okay. And there wouldn't be any from Solutia? 23 A. From Solutia specifically? Not, not as of 24 today, no. 25 Q. I'm talking about there wouldn't be any
Page 114 1 it, wouldn't it? Let's just say with one of these 2 environmental agencies. 3 A. Well, the plant would have, yes. 4 Q. Well, not only that, but if it was a report 5 that was provided to RCRA or EPA, copy of that would 6 have gone in the archives, wouldn't it? 7 A. No, probably not. No. 8 Q. Are you telling me that there are no, we 9 wouldn't find any documents that were related to the, to 10 the environmental issues at the plant in Pensacola that 11 would come from the archives that were, were placed in 12 those archives prior to the time that you all sold that 13 plant down there to Ascend? 14 A. Your time references are getting very 15 confusing. What I am saying is that there are certainly 16 documents in the archive related to environmental issues 17 at the Pensacola plant from some period of time, 18 certainly those related before the time of the creation 19 of the archives in the early 1980s. 20 Documents have been added to that archive on a 21 as-needed or as-appropriate or as-decided basis since 22 that time. But I am telling you that I would be 23 surprised if there are any documents from the 2004 time 24 frame, which is where this discussion started, that are 25 from the Pensacola plant that have made their way into	Page 116 1 provided from Solutia in this case? That's what I'm 2 talking about. 3 MR. MERRILL: Again, I'm going to note for the 4 record that all of these questions about production are 5 beyond the matters designated in the deposition notice. 6 A. Well, my understanding is that the documents 7 that have been provided in this case, all of those we 8 have discussed, have been provided on behalf of Solutia, 9 Pharmacia and Monsanto. To the extent my understanding 10 is correct, yes, Solutia has provided documents in this 11 litigation. 12 THE VIDEO TECHNICIAN: Excuse me, Mr. Stewart, 13 you're putting papers on your microphone. 14 MR. STEWART: I am sorry. I didn't mean to put 15 papers on my microphone. 16 Q. (By Mr. Stewart) So the rest of them would come 17 from Ascend? 18 A. Yes. 19 Q. All right. I want to go through the rest of 20 these so that I'm sure that you may have solved my 21 problem for me and we may have to talk to Ms. Dyer I 22 guess. 23 But are you telling me that historical documents 24 that dealt with matters that, such as, take a look at 25 Paragraph 8, where there was information related to

Page 117 1 communication with local, state or federal environment, 2 environmental and water regulatory agency folks 3 regarding PCBs, and that would frankly be nine, you all 4 did not maintain those historical records as it relates 5 to this particular plant after you sold to Ascend? You 6 all gave all of those to Ascend? 7 A. That is correct. Except for the early 8 documents that are contained in the archive. 9 Q. Yeah. 10 A. Yes, that is correct. 11 Q. So if there was some kind of problem that 12 existed say, Mr. Kaley, in 2001, you all would not have 13 provided that to the archives? 14 A. Probably not on a plant issue. Probably, I 15 can't say that something didn't get in there -- 16 Q. I just want to know for informational 17 purposes -- 18 A. -- I would think that such documents would not 19 have gotten to the archive, that is correct. 20 Q. They would have been maintained at the plant? 21 A. Or at headquarters, yes. In the remediation 22 group or law department or whoever, but they would not 23 have gotten into the PCB litigation archive because they 24 were not, at that time, subject to PCB litigation. 25 Q. So what I'm trying to find out is where those	Page 119 1 A. Yes. It's, I looked it up and it's, just for 2 reference FLA-PCB-004348. 3 Q. What is it now? 4 A. FLA-PCB-004348. It's the 1994 Monsanto records 5 retention policy, and it's the section corresponding to 6 the section we were looking at in Solutia. And based on 7 cursory review, it's the same. 8 Q. So they have to be maintained on a permanent 9 basis? 10 A. If they exist. 11 Q. Well, oh, I see what you're saying. If the 12 conversation was -- 13 A. Memorialized. 14 Q. -- memorialized or a memorandum made? 15 A. Then under the policy, should have been 16 retained permanently. 17 Q. And I don't want to call anybody anal retentive 18 because I'm probably that way myself, but it was my 19 experience with Monsanto, and frankly even with Solutia, 20 that if you all had a meeting you memorialized it? 21 Somebody took some minutes and wrote it down? 22 A. I, I can't speak to that. I don't know. 23 Q. Sir? 24 A. I can't speak to that. I don't know. 25 Q. Well --
Page 118 1 documents got deposited once you sold in 2009 to Ascend? 2 A. They got deposited at Ascend. 3 Q. So all of those documents were maintained by 4 Solutia, and when you went into bankruptcy, you didn't 5 provide those documents to Monsanto or Pharmacia, did 6 you? 7 A. No, just the archive. No. 8 Q. And that would be the same for documents that 9 related to environmental reports and laboratory testing? 10 A. That's correct. 11 Q. Same thing that relates to testing that was 12 done in Escambia River or Escambia Bay? 13 A. That's correct. 14 Q. Under 11? 15 A. That's correct. 16 Q. So all of those would have been maintained by 17 you at Solutia? 18 A. At the time of the bankruptcy, yes. 19 Q. But then even after the bankruptcy -- 20 A. Until the time of the sale, yes. 21 Q. In 2009? 22 A. Yes. 23 Q. Okay. Now you were going to tell me about, 24 before I got off on this, how you, about the retention 25 policy, about conversations under Monsanto?	Page 120 1 A. I mean I was certainly at a lot of meetings 2 where nothing was written down, so. 3 Q. Well, there were also a lot of meetings, you'll 4 agree with, Dr. Kaley, that were recorded -- 5 A. Certainly. 6 Q. -- in connection with that case and in 7 connection with the kind of problem that existed at the 8 Pensacola plant? 9 A. That would be a presumption on my part, but I 10 would assume that some of those meetings with regard to 11 Pensacola were memorialized in some form or another, 12 yes. 13 Q. And so for ten and 11, there were some problems 14 that existed, were there not, Dr. Kaley, with the 15 presence of PCBs on the Pensacola plant site while 16 Solutia owned that plant? 17 MR. MERRILL: And I'll note for the record the 18 question calls for testimony beyond the matters 19 designated in the deposition notice. 20 A. I just want to read this, make sure I'm 21 answering. 22 Q. (By Mr. Stewart) Sir? 23 A. I want, just want to read these to be sure I'm 24 answering the question. Yes, certainly with regard to 25 the plant itself, the plant site itself, there would be

Page 121 1 documents associated with that investigation. I don't, 2 as I said before, I don't know whether there were any 3 documents, I don't know whether there was any sampling 4 or testing done -- 5 Q. -- documents that indicate that there was 6 testing done on the plant site in 2001 and 2004? 7 A. Right. 8 Q. There's some remediation work started in that 9 time frame? 10 A. Correct. 11 Q. And so, the existence and location of those 12 documents and anything related to those documents, 13 whether they exist or not, if any do, would be at Ascend 14 now? 15 A. Yes. 16 Q. All I want to do is nail that down. 17 A. That's correct. 18 Q. And the person who would know where those are 19 and would be able to tell me whether we had everything 20 would be Ms. Dyer; is that? 21 A. My understanding is that she's selected 22 documents. I don't know whether she's the appropriate 23 person to ask those questions -- 24 Q. -- you talked to? 25 A. I did not talk to her. I was given that	Page 123 1 A. With regard to -- 2 Q. -- Pharmacia and Monsanto about access to the 3 archives after the, that written document? 4 A. Not that I would know, and I would be surprised 5 if there is anybody. 6 Q. Who maintains written documents such as that in 7 Solutia? If we wanted to ask for that document, who 8 would we ask for that document? 9 A. The, the agreement between Solutia and Monsanto 10 with regard to access to the archive? 11 Q. Right. 12 A. An attorney. I have no idea which one. I 13 don't even know who's there anymore. 14 Q. That's maintained in the law department? 15 A. I would presume so, yes. 16 Q. To your knowledge, it is a written agreement? 17 A. I, well, there certainly is a, I, I assume, I 18 don't know. I have not seen that agreement. I can't 19 sit here and tell you there is a written agreement. 20 That is my understanding. 21 Q. Your understanding is that there's an agreement 22 between Monsanto and Pharmacia, that if you all were 23 called upon to produce documents in a case similar to 24 this, that you have a right to access the archives? 25 A. You're getting way beyond what I'm all that
Page 122 1 information by counsel. 2 Q. Okay. Okay. Pardon me. You talked to the 3 lady at Monsanto, where the archive, the librarian? 4 A. No, I talked to the librarian at Solutia. 5 Q. Solutia, pardon me. It just piques my 6 curiosity. Why in the world would you talk to the 7 librarian at Solutia if you all don't have anything to 8 do with those archives? 9 A. Because she was the person who oversaw the 10 transfer of documents from St. Louis Solutia offices to 11 Ascend. 12 Q. Okay. I see what you're talking about. She 13 should handle those documents? 14 A. Yes. 15 Q. Would she also be the same person who would be 16 familiar with your all's access to the archives? 17 A. No. 18 Q. Who would that person be? 19 A. At Solutia? 20 Q. Right. 21 A. Presumably one of the attorneys. I don't know 22 specifically. 23 Q. Well, is there somebody there who is not an 24 attorney who would be familiar with the agreement that 25 you all made?	Page 124 1 confident of, but that's my understanding. 2 Q. Well, you would have to know something like 3 that if you were called upon as a 30(b)(6) witness for 4 Solutia in this case -- 5 A. Well, I know -- 6 Q. -- talk about the existence and location of 7 these documents? If Solutia has any of them at all, 8 they have them in those archives; do they not? Or in 9 the MONS set or in the DSW set? 10 A. Solutia does not have, physically have any of 11 those documents. 12 Q. But what I'm saying to you, though, is they 13 have access to it? 14 A. That's my understanding based on the fact that 15 the production in this case, specifically was propounded 16 to the three defendants and was given to you on the 17 basis of all three defendants. 18 So to the extent that that, my understanding of how 19 that process would work, I assume they or their counsel 20 have access to those documents. 21 Q. Well, how, since Solutia was the last entity 22 that was connected with Pharmacia or Monsanto, new 23 Monsanto, old Monsanto, that outfit, how is it that the 24 process worked for the gathering of these documents? 25 Did Solutia take the lead and the responsibility of

Page 125 1 gathering those documents to provide to us in connection 2 with this case? 3 MR. MERRILL: I'll note for the record that 4 that question calls for testimony beyond the matters 5 designated in the deposition notice. 6 A. I don't know. 7 Q. (By Mr. Stewart) Well, who does this lady work 8 for that you said you talked to that had given those 9 records to Ascend? 10 A. Marsha Stoklosa? She works for Solutia. 11 Q. And who did the lady work for that you talked 12 to who now works for Ascend? 13 A. I didn't talk to anybody that now -- 14 Q. Or that you were told about who handles the 15 transfer -- 16 A. What was the question? She worked for Solutia 17 at the time of the sale, she became an employee of 18 Ascend. 19 Q. Is it fair to say then that, Dr. Kaley, that 20 the only people that you talked to in connection with 21 these documents were people who were employees of 22 Solutia, or former employees of Solutia? 23 A. Well, the only person other than counsel and 24 representatives of counsel that I talked to was Marsha 25 Stoklosa at Solutia.	Page 127 1 the record when I think we've moved beyond 30(b)(6), 2 because it's not reasonably designated. That's, that's 3 the whole purpose of it. 4 A. I'm sorry. Could you repeat your question? 5 MR. STEWART: If you just object, it goes 6 beyond the record -- 7 MR. MERRILL: It's not an objection. Oh, you 8 want me, you want me to shorten it? I'll shorten it. I 9 can say "goes beyond the designation" -- 10 MR. STEWART: -- that's all I want you to do. 11 You know better than that. 12 MR. MERRILL: I don't know better than that. 13 In fact, I know that I have to preserve a record when 14 you decide to go beyond the 30(b)(6) designation, which 15 you can, but I need to note that on the record so we 16 know whether we're in the 30(b)(6) mode or not. 17 MR. STEWART: I frankly think we are, but that 18 will be decided by people who are a lot better than you 19 and me. 20 Q. (By Mr. Stewart) Dr. Kaley, I'm just deducing 21 from the fact that the people you talked to, or the 22 people who were involved in it, talking about the Ascend 23 records and the person who got those together from 24 Solutia to give to Ascend, that Solutia was the one who 25 gathered up these records for Pharmacia and Monsanto.
Page 126 1 Q. And the only person you knew that they had 2 talked to about the documents that were provided to 3 Ascend was the former Solutia employee? 4 A. The only one I'm aware of, yes. 5 Q. Can we deduce from that that the person that 6 they went to to gather up the documents would have been 7 Solutia employees? 8 MR. MERRILL: I'll note for the record the 9 question calls for testimony beyond the matters 10 designated in the deposition notice. 11 MR. STEWART: Frankly, I think that has to do 12 with the existence and location of the documents, 13 Mr. Merrill. It may be embarrassing, but it has to do 14 with that. 15 MR. MERRILL: No, I think it has to do with 16 what you said it had to do with, which is, who gathered 17 documents. 18 MR. STEWART: Well, that -- 19 MR. MERRILL: We'll disagree on this. I just 20 made my record. He can answer the question. 21 MR. STEWART: You keep making speaking 22 objections. Why don't you just get over there and, move 23 over there, Dr. Kaley -- 24 MR. MERRILL: -- speaking objection. In fact, 25 it's not an objection at all. It's just a notation for	Page 128 1 Because Monsanto didn't own that plant at the time some 2 of these problems took place, did they? That plant was 3 spun off in 19, what '97? 4 A. Yes, '97. 5 Q. And so the records would have been until it was 6 sold to Ascend, Solutia's records; is that correct? 7 A. That's correct. 8 Q. So it, and natural deduction, I just want to 9 make sure I'm clear about this because I don't know of 10 a, can you think of a Monsanto, new or old, or a 11 Pharmacia employee that you talked about in preparation 12 for your testimony here today? 13 A. No, but I talked to persons representing those 14 entities. 15 Q. You talking about counsel? 16 A. Yes. 17 Q. Okay. Well, I understand that. I understand 18 that. To your knowledge, did anybody from any of those 19 entities, Monsanto, Pharmacia, or old or new Monsanto, 20 or Pharmacia, participate in the gathering of these 21 documents? 22 A. Well, sure. I mean because most of the 23 production, the DSW set, the MONS set, and the Florida- 24 PCB set were selected from the PCB litigation archive 25 which was created by old Monsanto.

Page 129 1 Q. Well, wouldn't Solutia have an archive, I mean 2 an index of that archive? 3 A. I don't know that there's an index of that 4 archive that exists. 5 Q. Well, we were -- 6 A. -- Solutia doesn't have it. Solutia has 7 nothing to do with that archive as of the day other than 8 possibly access to it to respond to litigation 9 production -- 10 Q. -- do they have access to it? 11 A. Through counsel, I assume. I don't know the 12 answer -- 13 Q. No, what I'm saying, how do they have access to 14 it? Do they actually go to the archives, or do they 15 have it on some kind of computerized disk? Do they have 16 it that way? 17 A. There are, there is a, a computerized system to 18 retrieve documents from it. 19 Q. All right. Let's go to the retention policy 20 for e-mails for Solutia. 21 A. Okay. 22 Q. What was that retention policy? 23 A. It's the same as the retention policy for 24 documents, for paper documents. 25 Q. All right. Can I understand with you, can we	Page 131 1 A. I would think it would be retained 2 electronically, but I don't know that for sure. 3 Q. Okay. But that's what I'm trying to find out. 4 In the event that it is a permanent record that you had 5 to have, then Solutia has a policy where that had to be 6 maintained, and some of these things have to do with a 7 retention time that goes beyond the time that the plants 8 is terminated? 9 A. I believe that's correct. 10 Q. Which ones are those, Dr. Kaley? 11 A. I would have to go back and look. 12 Q. You'd have to go back and look? 13 A. Yeah -- 14 Q. -- make the determination? 15 A. -- I don't know specifically what. 16 Q. Well, you understand you were going to be asked 17 about the retention policies, so you -- 18 A. Well, I didn't memorize it, no. 19 Q. Can you tell me about what documents have to be 20 maintained in connection with, with closure of the 21 plants sites on a permanent basis? Years past that? 22 A. If I go back and review the document, I can. 23 But I don't, but I believe the closure of the plant site 24 is not a sale of the plant site. 25 The Pensacola plant, presuming that's what we're
Page 130 1 have this understanding then that if there was a e-mail 2 that had to do with an environmental and safety and 3 health matter that dealt with conversations, for 4 instance which we talked about earlier, the government 5 officials, would that need to be maintained? 6 A. Should have been, yes. 7 Q. Now, I don't use a computer, so getting into 8 water that's a little deep for me, but I noticed in the 9 retention policies that after a certain period of time, 10 you could wipe it off, so to speak, delete it, an 11 e-mail. 12 But if it had to do with something like minutes from 13 a meeting with a governmental agency or conversations 14 with a governmental agency, don't you have to maintain 15 those on microfiche under the policy? 16 A. Oh, I don't think they would be maintained on 17 microfiche. They would be maintained, they should be 18 maintained on some format. 19 Q. Might be a, I just noticed that in the record, 20 retention policy, it talked about microfiche. Even 2002 21 and 2004. 22 A. Yeah, I'd, I'd have to go review. I don't know 23 whether they still use microfiche or not. I would 24 think -- 25 Q. -- better technology today?	Page 132 1 talking about, was not closed. It was sold to Ascend, 2 and Ascend would then take control of all those 3 documents. They would no longer be Solutia documents to 4 be retained. They would be Ascend documents. 5 Q. So you're saying that a termination of the 6 plant site would not include a sale of the plant site? 7 A. That's my understanding. 8 Q. What happens to it on a sale of a plant site? 9 Is there some specific provision that distinguishes the 10 two in the retention policy? 11 A. Not in the retention policy, but there would be 12 a, part of the contract of the sale I'm sure would 13 address the transfer of records. 14 Q. Will you look at 04476? 004476? 15 A. Yes, I'm there. 16 Q. Am I correct that if there is a compliance 17 record and supporting data indicating compliance with a 18 regulatory agency, federal, state, county and municipal, 19 you all have to maintain that on a permanent basis? 20 A. I'm sorry, where you looking? Okay. I see 21 it. I see it now. Yes, if there's a, if there's a 22 compliance or other record, a company copy of 23 non-compliance or other records supporting data in 24 original file office, that needs to be retained 25 permanently in the original file office.

Page 133 1 Q. And if there's monitoring required, which would 2 be a part of the supporting data, then that would have 3 to be maintained on a permanent basis; would it not? 4 A. As I read this today, yes. 5 Q. And surveys and audits, which would include I 6 would assume environmental audits on page 004477, those 7 would have to be maintained on a permanent basis; would 8 they not? 9 A. I'm sorry. Let me go back to the previous 10 question. I want to make sure I'm reading this 11 correctly. 12 Okay. With regard to your previous question, with 13 regard to discharge monitoring reports, as I read this, 14 they only have to be maintained if there's a 15 non-compliance. 16 So it says, "Company copy of non-compliance and 17 other records supporting data in originating file 18 office." It doesn't say that if they're routine 19 monitoring and there's no non-compliance, that they 20 would have to be retained permanently. That's the way I 21 read it. 22 Q. So, if there's a company copy of non-compliance 23 and other records supporting data in the originating 24 office file, you got to keep that on a permanent basis 25 if it's non-compliant?	Page 135 1 disposal, yes. 2 Q. Well, if, I know, in other words, if the waste 3 had PCBs in it, you still had to report it, didn't you? 4 MR. MERRILL: I'm going to object to the 5 question as calling for a legal conclusion. We're 6 getting into the legal requirements of the TSCA disposal 7 regulations now. 8 A. If it is waste that is subject to the TSCA 9 regulations, then it has to be reported. If you're 10 alluding to waste in a RCRA-closed landfill, no, it 11 would not have to be reported because those are not 12 waste stored for disposal. They are waste that have 13 been disposed of in an EPA-approved landfill. 14 Q. (By Mr. Stewart) Right. But if, if you were, 15 let's say you did that sometime in the '70s, and then 16 all of a sudden you decided you were going to dispose of 17 it in some way, either on site or off site, other than 18 what you had, would you have to report that? 19 A. Only off site. 20 Q. Only off site. So if you're doing something on 21 site, you don't have to report that? 22 A. Well, you don't have to report it under the 23 TSCA regulations that, that specify how to, we were 24 talking about the PCB reports that are specified by 25 TSCA. They are very specific categories that you have
Page 134 1 A. If it's non-compliant. 2 Q. If it's in compliance, you don't have keep it? 3 A. That's the way I read it. Other than as 4 specified by law or regulation in the above paragraph. 5 "Copy of compliance record and supporting data in 6 originating office, retention time is as specified by 7 law or regulation." 8 Q. Well, doesn't law and regulation require you 9 all to keep those on a permanent basis? Let's just say 10 it's permits and things like that -- 11 MR. MERRILL: I'm going to note for the record 12 that that's calling for testimony beyond the matters 13 designated in the deposition notice and possibly calling 14 for a legal conclusion. Go ahead. 15 A. Okay. Let me give a specific example, we 16 talked about it earlier this morning. The EPA and their 17 PCB regulation required a PCB report from every 18 operating facility as long as they had PCBs on the 19 facility. 20 But that record only had to be maintained for three 21 years after the site was specified to be PCB free. So 22 in that particular case, those PCB records could be 23 destroyed after three years. 24 Q. (By Mr. Stewart) Does that include waste? 25 A. It includes waste stored for, waste stored for	Page 136 1 to maintain records on and keep in the PCB file at your 2 plant site. 3 PCBs in a landfill would not be subject to that 4 regulation. I was just giving you an example of where 5 something specified by law or regulation might be less 6 than permanent. 7 Q. What about documents that pertain to permits, 8 petitions, variances, waivers, orders that you would 9 file with the government? Data that would be supporting 10 of those? 11 A. Are we over in the next page now? I'm not 12 sure -- 13 Q. -- top of the page. 14 A. Those, according to the policy, would have to 15 be maintained permanently. 16 Q. Okay. So if you're making a change in the 17 impoundment that we talked about earlier, you would have 18 to maintain that on a permanent basis? 19 A. If it was done under permit with a regulatory 20 agency, yes. 21 Q. And at the time of the sale, would that have to 22 be maintained by Ascend? 23 A. That's my understanding, yes. That would be 24 part of the transfer -- 25 Q. -- responsibility --

Page 137 1 A. -- transfer to Ascend, that's my understanding 2 yes. 3 Q. Okay. And so to complete the circle, if we had 4 conversations, or if they had conversations, if you all 5 had conversations with governmental regulators during 6 that time frame that were recorded or memorialized, 7 those would have to be maintained, too, on a permanent? 8 A. That's my understanding -- 9 Q. -- data generated in connection with that 10 particular matter would have to be maintained on a 11 permanent basis, wouldn't it? 12 A. Yes, I believe that's my reading, yes. 13 Q. So let's just say there was some test done on 14 the plant site around an impoundment area that you all 15 were seeking a permit for to make changes to. Then that 16 data has to be there at the plant site even after it's 17 sold to Ascend, right? 18 A. That's my understanding, yes. 19 Q. What about engineering drawings in connection 20 with a particular project like that? How long do they 21 have to be maintained? Will you look at 004474 -- 22 A. Thank you. 23 Q. -- looking at the wrong thing -- 24 A. Well, my problem is is that there's an index at 25 the front of this document with page numbers, but there	Page 139 1 Q. What I was trying to find out, if there was 2 engineering or technical reports that were done in 3 connection with a project that had to do with waste 4 disposal or remediation, that type of stuff, how long do 5 you have to keep those at the plant? 6 A. As I sit here now, I'm not sure whether they 7 would fall under the ten-year requirement or the 8 permanent requirement. I would have to either think 9 about it and read these better or talk to an attorney. 10 Q. One or two? One of the two? 11 A. One of the two, yes. 12 Q. The project was started then in 2004, then 13 certainly it should still be on, on site, shouldn't it? 14 The engineering plans for that project? That would be 15 the least time that it would be required, wouldn't it? 16 A. Well, yes. 17 Q. Would you take a look at 004475, and it says 18 "Engineering Technical Reports." Does that have to do 19 with processes or does that have to do with technical 20 reports that were related to waste disposal or any of 21 the above? It says the year originated in '35 -- 22 A. No, I understand. I'm, I frankly am not sure 23 what falls under the classification of an engineering 24 technical report. I would think that would not be 25 plans. It sounds to me more like a write-up of a
Page 138 1 are no page numbers on the pages that I can see. 2 MR. MERRILL: Yeah, I noticed that myself. 3 A. All right. So your question is in regard to 4 facility engineering drawings? 5 Q. (By Mr. Stewart) Yeah. Let's just say you had 6 a project designed for solving the problem. How long do 7 those have to be maintained? 8 A. Ten years after the termination of the 9 facility. I mean, I'm reading at the top of the page. 10 If you're further down. 11 Q. I'm looking, project, well actually, facility 12 engineering drawings. Does that have to do with product 13 or does that have to do with the project? That's the 14 reason I ask. 15 A. Well, okay. Because there's facility and then 16 there's, again, I'm not an engineer. I don't know the 17 specifics of these, of what's characterized here. 18 The retention times are the same so maybe it doesn't 19 matter so much. But my understanding is the facility 20 engineer drawings would be the layout of the facility 21 where the buildings are located -- 22 Q. -- trying to find -- 23 A. -- product engineering would be the specific 24 designs for the process itself, for the individual 25 processes. Where the reactors are.	Page 140 1 particular project. But I don't really, as I sit here 2 today, I don't know what would fall under that 3 categorization. 4 But whatever it is, it is your originated plus 35 in 5 the, well, this is obviously outdated because I don't 6 think the Webster Groves Technical Center files exist 7 anymore. They've been moved back to headquarters I 8 believe. But, but they either have to be in the central 9 file, the plant file, or some file storage facility for 10 35 years, yes. 11 Q. When you're talking about that, are you talking 12 about what I was discussing -- 13 A. Yes. 14 Q. -- Dr. Kaley? 15 A. Yes, it's D1. The engineering technical 16 reports. 17 Q. Okay. Now you talking about something that 18 might apply to waste disposal or something to do with 19 the remediation of a particular area on the plant site 20 because of a release of some toxic substance? 21 A. I doubt it. 22 Q. What would you be talking about again? Just 23 something to do -- 24 A. -- engineering projects, yes. 25 Q. Well, on 004474, it says "project files." And

Page 141 1 it talks about closed project files prepared in 2 accordance with Procedure 106, and it says "retention 3 time up to ten years after completion of the project"? 4 A. Yes. 5 Q. What does that refer to? 6 A. I don't know. 7 Q. Would that be a project similar to what I was 8 talking about? 9 A. I don't know what's, I mean this is, this is 10 for Monsanto's engineering department, central 11 engineering, so -- 12 Q. -- this is Solutia we're talking -- 13 A. Solutia. Okay. I'm sorry. I do the same 14 thing. I use them interchangeably. I apologize. For 15 Solutia's engineering department -- 16 MR. STEWART: You want to mark that in the 17 record? That he uses that interchangeably? 18 A. I do, when I'm careless. The, so I'm not sure 19 exactly what this refers to. Most of the engineering 20 drawings for the project, which I assume you're 21 referring to, would be in the URS files. And I assume 22 that the retention policy applies to our contractors, 23 but again, I don't know that for sure. 24 Q. (By Mr. Stewart) Well, they provide you with 25 documents; do they not --	Page 143 1 they would have to be maintained on a permanent basis, 2 so the e-mail would be, too, wouldn't it? 3 A. That's what this policy says, yes. 4 Q. But if you delete it, and I saw the policy 5 earlier and I can't go to it right now, but if you 6 delete it within 60 days, it's my understanding from 7 previous conversation with you that that document has to 8 be stored in some way on a permanent basis? 9 A. Yes. I mean it says that specifically here. 10 It says, "It is the individual user's responsibility to 11 determine the applicable retention period and whether to 12 maintain the e-mail in printed format, in appropriate 13 hard copy files, or on the user's hard drive, or a 14 network server, or to some other storage media." 15 So then it would be out of the documents that were 16 being routinely deleted by the information technology 17 department. 18 Q. Now did Solutia maintain back-up tapes? 19 A. It says it does. 20 Q. And were those back-up tapes turned over to 21 Ascend? 22 A. Well, based on this policy, the back-up tapes 23 are not, you know, they are not to be used to maintain 24 the kinds of records we've been talking about. 25 Q. But were they retained --
Page 142 1 A. That's true. You're correct. 2 Q. -- it's your document -- 3 A. You're correct. You're absolutely correct. 4 Q. Okay. And then documents on page 4477, we've 5 cleared up that documents pertain to permits, 6 registrations, which would include, I would assume, 7 supporting data which could be testing by anybody, your 8 company or URS, whoever did the testing, that has to be 9 maintained on a permanent basis, doesn't it? 10 A. I would read it that way, yes. But again, not 11 necessarily permanently by Solutia because those kinds 12 of documents would be transferred to the purchaser of a 13 facility. 14 Q. But they would have to maintain it on a 15 permanent basis, wouldn't they? 16 A. I think it would then fall under their, their 17 document retention policy and I, as I sit here, don't 18 know Ascend's document retention policy. 19 Q. On page 004460, let's take a look at some of 20 those things there dealing with e-mails. If an e-mail 21 dealt with some of the issues that we mentioned earlier 22 that had to be maintained on a permanent basis, in other 23 words, there were conversations that were recorded by 24 way of e-mail that had to do with conversations with 25 government officials or agencies, preparation for that,	Page 144 1 A. I have no, I don't know the answer to that. 2 Q. Who would know the answer to that? 3 A. Someone in the Solutia IT department I assume, 4 or someone at Ascend. 5 Q. Do you know who that person might be? 6 A. I have no idea. 7 Q. And if you look at 004461, I want you to know 8 that I wasn't crazy when I said what I did. There's a 9 paragraph down there that says, "After microfilming, 10 once the paper's been microfilmed" -- 11 A. -- I wasn't questioning -- 12 Q. I just want you to know that I didn't make it 13 up. That it was on microfiche, but my understanding. 14 Now was there a policy at the time that you worked for 15 Solutia up until 2003 about what was retained in 16 connection with the litigation that was ongoing? 17 A. My understanding was that anything contained, 18 pertaining to ongoing litigation was to be retained. 19 Q. Until the litigation was completed? 20 A. Yes. 21 Q. And is that not covered in this Record 22 Retention Policy Manual? 23 A. I believe, I thought it was actually. 24 Q. That was my understanding. 25 A. When I reviewed, I thought I read something to

Page 145 1 that. 2 Q. Let's take a look at 004465. 3 A. Okay. 4 Q. And dealing with photographs and videotapes and 5 film, if there were photographs taken or videotapes or 6 film taken in connection with a permit application, is 7 that your understanding that it, that was used in 8 connection with a permit, it would have to be maintained 9 on a permanent basis? 10 A. Yes, that's what it says. 11 Q. Would that be true for mapping? 12 A. If it were, yes. I mean I says "maintain and 13 record in accordance with retention period for the 14 record category." So if it pertained to one of those 15 record categories, that that was permanent, yes, it 16 would be. 17 Q. So if somebody tells me that they're going to 18 give me exemplars of something, and yet those documents 19 that I referred to, either maps or photographs, were, 20 had to be maintained permanently if it had to do with 21 disposal of waste or permitting, that type stuff, the 22 exemplar wouldn't do the trick, would it, Dr. Kaley? 23 They'd all be there if they were all related to that if 24 they were to be maintained on a permanent basis, 25 wouldn't they?	Page 147 1 A. I'm sorry. It's on page 4493. 2 Q. Do you know what the Corlew litigation is? 3 A. I may have at one time, but as I sit here 4 today, no. 5 Q. Did the MONS documents provide us with chemical 6 safety data sheets, material safety data sheet, or was 7 that in the DWS, or DSW document? 8 A. I don't know. They should be in the MONS set. 9 Q. Did you see any metrological data in the 10 documents that were, does that exist? 11 A. I don't know whether it exists. I didn't see 12 any. 13 Q. Any document having to do with hydrology of 14 that area there? Did you see any of that? 15 A. Yeah, I believe some of the URS reports talks 16 about hydrology. 17 Q. Did you see any waste manifest, bills of 18 lading, internal memos, correspondence? 19 A. I didn't -- 20 Q. Lots of other documents pertaining to waste 21 disposal at the plant? 22 A. I didn't in this review, but I know they 23 existed in the PCB compliance documents that were 24 maintained at the plant, so. 25 Q. So that would be in those Ascend documents?
Page 146 1 MR. MERRILL: I'll object to the form of the 2 question. 3 A. I, I -- 4 Q. (By Mr. Stewart) The only reason I ask that 5 question is, we've been told that they would give us 6 exemplars of layouts, exemplars. Frankly, I don't 7 understand what that means. 8 If they have to do with a plant site and solid waste 9 management units or RCRA closure, then they're to be 10 maintained on a permanent basis, aren't they? 11 A. If they're associated with one of those 12 categories, yes. 13 Q. So if there were 50 and we got three, then 14 we're missing some, aren't we? 15 A. That's your hypothetical. I don't, I don't 16 know how the decisions were made and what the basis for 17 those was. 18 Q. Neither do I. Neither do I. I believe that's 19 all I have of that retention policy for the time being. 20 I want to go back to this -- 21 A. Can I go, I mean, there is a section on legal 22 and it says "court files and work papers and law 23 department file for litigation and claims," and it does 24 say until completion of litigation, so. 25 Q. That's what I thought. Where is that? What --	Page 148 1 A. Ascend. 2 Q. Now what do you know about, or what did you see 3 in these documents about the plant or wells in the 4 vicinity of the plant that were under control of the 5 plant down there? 6 A. I didn't see anything specifically. But again, 7 that's the kind of information that would have been 8 covered thoroughly in any of the URS documents with 9 regard to the plant. 10 Q. Was there ever any criminal investigation 11 against the defendant in connection with their operation 12 of this particular plant? 13 A. I have no idea. 14 Q. Now you have provided us, I believe, with a 15 corporate organization of Monsanto, Pharmacia 16 Corporation and Solutia, Inc.; is that right? 17 A. There are a number of documents related to 18 corporate structure that have been produced, yes. 19 Q. Is Solutia connected in any way with Pharmacia 20 or Monsanto or new Monsanto? 21 MR. MERRILL: Object to the form of the 22 question. "Connected in any way," but. Could you, are 23 you talking about a legal, a formal, structural or a 24 legal -- 25 Q. (By Mr. Stewart) -- part of the corporate

Page 149 1 organization of Monsanto Company or new Monsanto -- 2 A. No. 3 Q. Separate company -- 4 A. Totally separate. 5 Q. What about Pharmacia and Monsanto and new 6 Monsanto? Are they all owned by Pharmacia? 7 A. New Monsanto is totally separate. 8 Q. So new Monsanto is separate; Solutia is 9 separate? 10 A. That's correct. 11 Q. And the corporation Pharmacia, is that the 12 owner of old Monsanto or is that old Monsanto -- 13 A. It is old Monsanto. 14 Q. So Pharmacia Corporation is a separate entity 15 from new Monsanto? 16 A. Totally, yes. 17 Q. And Solutia is a separate entity? 18 A. From both of those. 19 Q. So they're all three separate defendants; is 20 that correct? 21 A. That's my understanding, yes. 22 Q. When new Monsanto was created, did it assume 23 any of the responsibilities for the liabilities that 24 occurred, if you know, Dr. Kaley, at plants that were 25 previously owned by old Monsanto?	Page 151 1 talking about Solutia. 2 MR. MERRILL: Your, your question was not clear 3 on that. It spoke in the present tense. 4 MR. STEWART: No. I assumed that you put him 5 up to talk for Solutia. If you put him up to talk for 6 Ascend, hell, I'll be glad to start all over my 7 questions -- 8 MR. MERRILL: -- did not. That's what I was 9 trying to make. 10 MR. STEWART: Well, I'm not talking to 11 Dr. Kaley about it. I'm talking about Solutia. 12 Q. (By Mr. Stewart) Do you all keep them off site 13 or on the plant? 14 A. Probably both. I mean, I, the URS documents, 15 there would be a complete set at URS. There may or may 16 not be a complete set or have been a complete set at the 17 plant -- 18 Q. -- could have been some of them at the plant? 19 A. Certainly. 20 Q. Were there some maintained in St. Louis? 21 A. There could have been some in St. Louis, yes. 22 I don't know that specifically, but I would assume that 23 the, that some of the environmental people in St. Louis 24 had access to those documents. 25 Whether they kept them or not and stored them, I
Page 150 1 MR. MERRILL: I'll note for the record that 2 question calls for testimony beyond the matters 3 designated in the deposition notice. 4 A. I don't know the details of the separation 5 agreements. I don't know. 6 Q. (By Mr. Stewart) Give me just a second. Give 7 me a minute. Are all the environmental documents that 8 are related to the Pensacola plant kept off site such as 9 the tests for the presence of hazardous substances on 10 the plant site? 11 A. By off site, you mean off the plant site? 12 Q. Yeah. We were referred to URS earlier. Are 13 some of those kept on site in Pensacola? 14 MR. MERRILL: I note for the record that that 15 question calls for testimony beyond matters designated 16 in the deposition to the extent it's beyond Solutia -- 17 MR. STEWART: -- location of those documents 18 and that's what I'm asking about. I'm just asking are 19 the environmental documents that we referred to in our 20 questions, I can go to the specific question, but I'm 21 not going to, are they maintained on site or off site? 22 MR. MERRILL: And I'm going to object because 23 he doesn't have any obligation, as a 30(b)(6) witness 24 for Solutia to find out how Ascend runs their business. 25 MR. STEWART: I'm not talking about Ascend, I'm	Page 152 1 don't know because they wouldn't have had the 2 responsibility for storing them. But they probably at 3 least passed through St. Louis. 4 Q. Are those documents that are maintained, that 5 were maintained by Solutia off site, were they in 6 electronic form or were they hard copy paper? 7 A. At URS? 8 Q. Yeah. 9 A. I, you probably know the answer better than I, 10 or somebody, somebody reviewing them. I don't know. I 11 assume there's paper copies. There probably are both, 12 but I'm sure there are paper copies because they would 13 have had to file with the government -- 14 Q. Are the indexes of those records that are 15 maintained, that were maintained by Solutia on site? 16 A. I don't know. 17 Q. Who would know that from Solutia? 18 A. Probably Amy Dyer who's now with Ascend, I 19 guess. By on site you mean at the plant? 20 Q. Yeah, I'm talking about. What about Solutia's 21 laboratory test results? Are they maintained on site? 22 A. For what? I mean the answer is yes. That 23 would be my understanding. I don't know particularly 24 what lab reports. You're talking about environmental 25 lab reports?

Page 153 1 Q. Yeah, environmental lab reports? 2 A. I would, they would be at the site, or at URS 3 because many of them were probably obtained by the 4 contractors. 5 Q. How long were they kept, Dr. Kaley? 6 A. If they have to do with permitting and closures 7 and regulatory materials, many of them would have to be 8 kept permanently. 9 Q. Are they maintained electronically? 10 A. I don't know the answer to that. Whether it's 11 electronic or paper or both, I don't know. 12 Q. Who would know that, Ms. Dyer? 13 A. I presume that would be my best answer, yes. 14 Q. Now we talked earlier, earlier about back-up -- 15 MR. STEWART: Be ashamed of yourself -- 16 Q. (By Mr. Stewart) -- back-up tapes. Are those 17 maintained at each site? 18 A. I don't know. 19 Q. Who is, who was responsible at Solutia for 20 organizing and keeping up with the electronic? IT 21 person? 22 A. The IT person, that's all. I have no idea who 23 that is. 24 Q. You don't know who that is? 25 A. No.	Page 155 1 Solutia? Well, I don't know, I don't know when or how 2 documents were, were added, but they would have been 3 added by either in-house or outside counsel for Monsanto 4 or Solutia. 5 Q. Who, who, other than the lawyers were 6 participants in that decision, who would have been? 7 A. No one that I know of. 8 Q. Not the woman you mentioned that was the -- 9 A. At Solutia? No, no. She, she probably doesn't 10 even know the archive exists. 11 Q. Well, back to my question I was asking, some of 12 the Florida-PCB documents have MONS numbers that are 13 higher than 100,000 to 120. It indicates that there's a 14 gap that exists between the documents we were provided, 15 because they have double Bates numbers on them. 16 There was Bates numbers for MONS and there were 17 Bates numbers for the Florida-PCB. And we were told by 18 counsel that they came from the MONS documents. So why 19 is it that we're getting some documents that have Bates 20 numbers on them, the MONS Bates numbers that are higher 21 than that figure? 22 A. I don't know the answer to that. 23 Q. Well, could it mean that there are documents 24 that were in between those numbers that had been 25 selected by the lawyers? Is that what it is?
Page 154 1 Q. Do you know what GNZ refers to? 2 A. What the letters specifically refer to? 3 Q. Yeah. 4 A. Gonzales. 5 Q. Just the -- 6 A. Location of the plant. 7 Q. -- location of the plant? That's really 8 original. Well, does anybody that keeps the MONS set 9 updated today? 10 A. There's no specific, as far as my 11 understanding, it's maintained by the law department, so 12 I really don't know how it's maintained. That's the 13 best answer. 14 Q. We've got some of the Florida-PCB documents and 15 they have MONS numbers that are higher than the number 16 that we have provided to us. 17 A. Okay. Well as I said, documents are added. I 18 don't know who does that or what, you know, how that 19 decision has been made. But as relevant documents are 20 identified, for instance, in a search of the plant or 21 something like that, then those documents are added to 22 the MONS set. 23 Q. Who made the decision as to what to add to the 24 MONS set at Solutia; do you know? 25 A. Counsel, representing, either counsel -- for	Page 156 1 A. Could it mean that? 2 Q. Yeah. That's what we assume -- 3 A. -- could mean -- 4 Q. -- documents that were sitting out there that 5 old Donald and Samantha haven't seen? 6 A. Those, the archive is maintained by counsel 7 through -- 8 Q. -- piqued my curiosity today, just got on to 9 me, because we didn't look at documents from 2009. 10 After 2009, they were sent to Ascend. He was good 11 enough to tell us that. 12 He's going to find out that Don will look at every 13 document he's got before it's over with. So, I just 14 want to know if there was a gap there. 15 A. I have no idea. 16 Q. I may need to fill in the gap on behalf of my 17 client. Now there's a gentleman named Merrill who said 18 specifically to one of my colleagues that he was 19 confident that Solutia sent documents to Ascend after 20 the sale, which you've confirmed for us, Dr. Kaley. 21 And then he stated that "we're looking for 22 responsive documents still at Solutia." So, where in 23 the world would that be? If Mr. Merrill told one of my 24 lawyers that there was some responsive documents still 25 at Solutia, which is one of the reasons I'm sitting up

Page 157 1 here looking at you, where would that be? 2 A. Well, if there are documents and they are at 3 Solutia, then they're at Solutia. I don't know that 4 there are documents at Solutia. And I'm, there, there 5 may be some files that have yet to be reviewed. I don't 6 know what he was representing to you. 7 Q. Well, he also mentioned that some of these 8 documents went to off-site storage that were maintained 9 by Solutia prior to the time of the sale. Where would 10 that be? 11 A. I don't know. 12 Q. Sir? 13 A. I don't know. 14 Q. Well, am I to understand, I'm just trying to 15 figure this out -- 16 A. I mean they may have gone to off-site Solutia 17 for, to off-site sites for Ascend. Ascend may have said 18 "send them to this on site." I don't know. It doesn't 19 say that they were still in the control of Solutia. I 20 don't know. But I don't think it necessarily means that 21 they are at the control of Solutia. 22 Q. Well, I'm, I'm just asking. I mean I'm 23 obligated in a discovery deposition to find out every 24 little bit piece of information I can. And if 25 Mr. Merrill was still looking at, for documents at	Page 159 1 no, they should not be there. There may have been some 2 possibility of shared documents that may still exist 3 there. I don't know. 4 Q. Wouldn't it be the possibility of some 5 documents that would be maintained there by people who 6 were in the remediation department that perhaps related 7 to the plant down there that didn't go to Ascend? 8 A. There should not be. 9 Q. How did that get to Ascend? Was there a sweep 10 of those documents from those peoples' personal files 11 and sent down to Ascend? 12 A. Those people were told to give their files to 13 Ascend, yes. 14 Q. So all the remediation, am I to understand your 15 testimony here today on behalf of Solutia, all the 16 people who were working in the remediation department 17 gave documents that they had in their personal files to 18 someone to deliver to Ascend? 19 A. That's my understanding, yes. 20 Q. Who, who handled that at Solutia? 21 A. I would assume Ms. Stoklosa handled most of it. 22 I don't know the specific person who undertook those 23 files or it could have been, it could have been counsel 24 managing the transfer of documents at the sale, I don't 25 know. But the information I got, I got from her that
Page 158 1 Solutia, where in the world would he be looking? I want 2 to answer that question first; if you know? 3 You're the 30(b)(6) representative from Solutia 4 that's supposed to know about the existence and location 5 of documents. Mr. Merrill tells somebody he's looking 6 at Solutia. He's not looking in an empty bucket, is he, 7 Dr. Kaley? He's looking at documents, isn't he? 8 A. No. He said he's looking for documents. I 9 don't, I don't know whether any have been found. I 10 don't necessarily know where he's looking. I would 11 guess he would be looking in the various, or the library 12 at Solutia, but I don't know the -- 13 Q. -- personnel that worked at Solutia who might 14 have had some connection with the Pensacola plant? 15 A. Well, my understanding is that, through my 16 discussions with Ms. Stoklosa, that the documents have 17 been transferred to Ascend. That's my -- 18 Q. Well, wouldn't they have, though, similar to 19 the ones that went from Solutia to Ascend, wouldn't they 20 have the possibility of documents on their personal 21 computers or in their file that they maintained at, at 22 Solutia after they stayed there when Ascend was, was the 23 purchaser of the plant? When it purchased the plant? 24 A. If they were documents that related only to 25 that process or to that business, the textiles business,	Page 160 1 that's, those transfers occurred. 2 Q. So, she said she went to each person involved 3 in the remediation -- is there a law section? Went to 4 those and got those files? 5 A. She did not say that. She said that the 6 documents were transferred. 7 Q. Well, does that mean the documents that were 8 housed in some kind of central location, or the 9 documents that were housed in a central location plus 10 the documents that people might have had in their 11 personal files? 12 A. Yes, all those documents that related to the 13 textiles business, whether they were in a central file 14 or in peoples' personal files, were transmitted to 15 Ascend. 16 Q. Now, I don't want to beat anybody up, but what 17 would Mr. Merrill have meant by responsive documents 18 still at Solutia? 19 A. I have no idea. 20 Q. He also mentioned that some of these documents 21 went to an off-site storage of the next tenant after 22 that, and I assumed, and maybe I'm wrong about it, but 23 that would be a Solutia off-site storage. 24 To your knowledge, is there any off-site storage of 25 documents that were related to Solutia's operation and

Page 161 1 maintenance of the plant located there in Pensacola? 2 A. Not to my knowledge. 3 Q. So can I be confident in saying to my 4 colleague, "Based on what Kaley tells me, there are no 5 documents that are responsive to our discovery request 6 still at Solutia"? 7 A. No, you can say that, "According to Kaley's 8 knowledge, there are no documents that da-da-da." 9 Q. You understand, Dr. Kaley, I'm looking at you 10 and I'm not, I'm not trying to be cute, I'm looking at 11 you as a person who knows where these responsive 12 documents are? 13 A. I am not aware as I sit here -- 14 Q. -- chastised today for not doing my job -- 15 MR. MERRILL: Object to your interrupting. He 16 was starting to answer a question. 17 MR. STEWART: And I understand. But I want to 18 get my part in and then -- Dr. Kaley and I go back a 19 long way. He knows I'll give him time to answer the 20 question. 21 Q. (By Mr. Stewart) So tell me, Dr. Kaley, am I to 22 understand that that's just you saying that, you're not 23 speaking for Solutia, as to whether or not there are any 24 responsive documents still at Solutia? 25 A. In my role as a representative to Solutia, I am	Page 163 1 NOTARIAL CERTIFICATE 2 STATE OF MISSOURI) 3) 4 COUNTY OF ST. LOUIS) 5 I, DIANNA C. HARK, a Certified Court Reporter and 6 duly commissioned Notary Public within and for the State 7 of Missouri, do hereby certify that there came before me 8 at the offices of Husch Blackwell LLP, 190 Carondelet 9 Plaza, Suite 600, St. Louis, Missouri 63105, 10 11 ROBERT G. KALEY, 12 13 who was by me first duly sworn to testify to the truth 14 and nothing but the truth of all knowledge touching and 15 concerning the matters in controversy in this cause; 16 that the Witness was thereupon carefully examined under 17 oath and said examination was reduced to writing by me; 18 and that the signature of the Witness was not waived by 19 agreement of the Witness and all parties, and that this 20 deposition is a true and correct record of the testimony 21 given by the Witness. 22 23 I further certify that I am neither attorney nor 24 counsel for nor related nor employed by any of the 25 parties to the action in which this deposition is taken; 26 further, that I am not a relative or employee of any 27 attorney or counsel employed by the parties hereto or 28 financially interested in this action. 29 IN WITNESS WHEREOF, I have hereunto set my hand and 30 seal this 23rd day of July, 2011. 31 32 My commission expires January 22, 2015. 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000
Page 162 1 not aware of such documents as I sit here today. 2 Q. And you did what you needed to do in order to 3 make that determination? 4 A. I thought I had, yes. I believe I have. 5 Q. And that involved talking to the woman that you 6 talked to? 7 A. Yes. 8 Q. That you mentioned? 9 A. Among other things. 10 Q. And so would she be the one that we would ask 11 if she knows about an off-site storage? 12 A. I, I believe so. I wouldn't know who else -- 13 Q. -- talk to Mr. Merrill. He's been good to give 14 us those Ascend documents. Maybe he'll just tell us, 15 "No, there ain't no documents there," and we'll take him 16 at his word. I believe that's, that's all I got of 17 Dr. Kaley. 18 MR. MERRILL: All right. So we want to review 19 the deposition and sign. 20 THE VIDEO TECHNICIAN: This concludes the 21 deposition. We will go off the record at 2:30 p.m. 22 23 Whereupon, signature was not waived 24 and the witness was excused. 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275	

Transcript Word Index

[& - able]

&	12:00	2008	6 (cont.)
&	88:10	1:4 3:4 4:23	100:2 109:4,25 110:7,10
3:21	12:11	2009	111:7 124:3 127:1,14,16
0	88:16	9:6 11:16 13:9,10 107:7,10	150:23 158:3
0	12:54	113:23,24 118:1,21 156:9	60
4:10 162:25	88:19	156:10	143:6
001762	120	2010	600
1:4 3:4 4:24	155:13	62:4	3:14,23 163:6
004348	13	2011	61
119:2,4	48:25 49:1,4,8 99:20	1:14 3:12 4:20 163:17	2:10
004460	14	164:3,9,24	63105
142:19	52:5 54:14 55:2,15 99:20	2015	3:14,23 163:6
004461	19	163:18	69
144:7	1:14 3:12 128:3 164:3,24	22	36:6,16,18,25 37:5,14 38:1
004465	190	163:18	41:2,14 45:25 54:16 78:20
145:2	3:13,23 163:6	23rd	84:20
004474	1950	163:17	6th
137:21 140:25	27:6,14,20	25	62:4
004475	1969	164:24	7
139:17	35:23 37:21 41:22 53:4	3	7
004476	76:22 77:24	3	76:8
87:9 132:14	1978	2:10,25 25:23 61:22,24	70
004477	49:21 50:12	88:25 89:4,10 108:10	36:18 37:14
133:6	1980s	30	70s
04476	15:10 36:2 114:19	43:25 48:18 55:7 61:6	15:6 135:15
132:14	1990s	90:22 92:6 93:3 97:5 100:2	71
1	53:9	109:4 110:7 111:7 124:3	36:18 37:14 45:25
1	1994	127:1,14,16 150:23 158:3	8
2:9 5:19 6:1 33:19 49:5	119:4	3000	8
55:1,2,15 62:5 64:2 88:21	1995	91:21	33:19 116:25
10	54:16	35	80s
35:14	1996	139:21 140:4,10	15:7
10:08	101:8	36201	877
4:21	1997	3:21	1:25 2:25 164:24
100	7:22	4	9
19:14	19th	400,000	9
100,000	4:20	19:11	34:1,1
19:13 65:4 155:13	2	421-0099	90s
1000	1:25 61:14	1:25 2:25 164:24	15:14 54:18 78:20,21 84:22
3:21	2:30	4477	84:22
100120	162:21	142:4	95
63:2	2000	4493	84:21 87:22,23
106	54:18 113:22	147:1	96
141:2	2000s	5	98:25
1079	53:9	5	97
1:20	2001	2:3	7:24 128:3,4
11	117:12 121:6	50	a
99:20 118:14 120:13	2002	146:13	a.m.
11:20	86:16 87:4 130:20	500	4:21 61:9,12
61:9	2003	3:21	ability
11:32	102:16 104:14 144:15	6	95:14
61:12	2004	6	able
12	86:18,19 87:4 113:22,25	2:9 43:25 48:18 55:7 72:10	6:10 32:3 40:25 91:25
99:20	114:23 115:9,17,18 121:6	72:11 90:22 92:6 93:3 97:5	105:11 121:19
	130:21 139:12		

[absence - ascend]

absence 50:7	affidavit 102:9,11 103:14 106:10,17 106:18	amy 22:13 60:19,21 152:18	apply 80:9 81:4 140:18
absolutely 19:9 142:3	afternoon 3:13	anal 119:17	appreciate 94:22,24,25
access 99:18,23 100:1,3,5 101:1 107:22,25 109:5,6,7 110:6 110:7 122:16 123:2,10,24 124:13,20 129:8,10,13 151:24	age 4:13	anniston 3:21 20:25 28:23 83:10,11 84:12 101:13 113:11,17	appropriate 114:21 121:22 143:12
accidental 76:22	agencies 27:25 31:19,19 32:9,16,18 33:9 64:1,4,6 65:1,2,17,19 65:23 84:1 87:16 108:23,24 110:20 112:8,9 114:2 142:25	announcements 76:21 77:12,18 78:1,5	approved 135:13
accurate 164:4	agency 31:22 33:9 34:7 62:14,17 83:24 84:7 87:20 117:2 130:13,14 132:18 136:20	answer 18:22 24:19,24 25:3 26:22 28:25 29:8 32:20 33:11 37:10 41:1 43:9 45:19,21 46:1 47:24 49:2 54:3 55:9 56:10,25 59:8 66:15,21,21 66:23 67:6 68:18 72:8 73:21 79:1 92:24 95:14 96:19 97:9,11 99:25 105:5 126:20 129:12 144:1,2 152:9,22 153:10,13 154:13 155:22 158:2 161:16,19	approximately 19:12
acknowledges 164:3	ago 6:4 94:6	answered 39:6 46:25 73:12	april 62:4
acquired 110:13	agree 120:4	answering 120:21,24	archive 8:1 9:8,12 14:23,25 15:8,9 16:1,16,19,23 17:20,21,24 17:25 19:3,15,16,22 21:6 21:10 26:12,13,15,19 27:2 35:24 36:21 37:1,18 70:19 96:14,21,25 99:5 100:10,16 108:7,8 110:22,24 111:15 112:15,21 113:2,3,4,8,9 114:16,20 115:1,6,7,10 117:8,19,23 118:7 122:3 123:10 128:24 129:1,2,4,7 155:10 156:6
action 163:14,16	agreed 4:1	answers 93:20	archives 8:5 16:12 17:2 19:8 21:8 26:16,23,24 48:6 70:7,17 100:9,13,22 109:1 112:12 112:17 114:6,11,12,19 117:13 122:8,16 123:3,24 124:8 129:14
active 50:8	agreement 53:22 100:5 109:8,13,16,18 122:24 123:9,16,18,19,21 163:11	anybody 13:17 54:24 55:11 57:7,16 119:17 123:5 125:13 128:18 142:7 154:8 160:16	area 42:25 43:3 44:18 45:2,14 47:21 48:13 54:1,8,16 71:23 73:3 75:8,9,15,25 99:7 137:14 140:19 147:14
actual 107:6 112:2	agreements 150:5	anymore 93:22 123:13 140:7	areas 71:5,9,24 74:22,23 108:11
add 33:12 154:23	ahead 23:16 36:15 37:10 50:16 55:9 64:21 134:14	anyway 84:16	army 111:24 112:3
added 16:22 17:3,8,12 20:18,24 70:16 113:7,9,14 114:20 154:17,21 155:2,3	ain't 162:15	apologize 36:14 141:14	ascend 6:18 8:22 9:1,11 10:1,24 11:6,8,9,21 12:1,2,11 22:9 22:9,17,19,25 23:3 32:11 48:5,6 49:15 56:8 58:6,24 59:4,10,19 60:10,17 77:4 89:12,16 94:2,2,9,15,18 95:11 96:8 97:2,3 100:1,6,9 100:11 107:2,5,20 112:1,12 112:13 113:22,23 114:13 116:17 117:5,6 118:1,2 121:13 122:11 125:9,12,18 126:3 127:22,24 128:6 132:1,2,4 136:22 137:1,17 143:21 144:4 147:25 148:1
additional 20:24 70:15	air 30:13 31:8 42:1,1	apparently 94:23	
additions 16:13	al 1:2,6 3:2,6 4:22,23 164:17 164:19	appear 65:4	
address 70:21 90:23 92:12 106:19 132:13	alabama 3:21 20:9,22	appearance 5:2	
addressed 90:24 92:11	alleged 42:20	appears 34:24 87:12	
addresses 91:8	allen 1:2 3:2 4:22 164:17	applicable 143:11	
administer 5:8	allow 50:19 67:3	application 145:6	
administered 4:15	all's 122:16	applications 62:8 65:16 66:2	
administration 62:16	alluding 135:10	applied 81:3	
admittedly 52:24	amended 2:9 5:23 88:22	applies 141:22	
advertisements 76:11	amount 85:12		
affairs 7:17			
affect 74:24 75:6,15			

[ascend - carondelet]

ascend (cont.) 150:24,25 151:6 152:18 156:10,19 157:17,17 158:17,19,22 159:7,9,11,13 159:18 160:15 162:14	attorney (cont.) 123:12 139:9 163:13,15 attorneys 5:4 24:6,7 56:11 122:21 audits 133:5,6 authenticate 49:18 available 13:9 24:5 37:17 76:20 90:5 avenue 3:21 awaiting 50:24 aware 36:10 45:9 46:7,13 52:16 56:18 77:11,17,21 80:4 85:18 105:2 106:13 126:4 161:13 162:1 awareness 36:11	beginning 39:9 behalf 1:12 3:12 4:14 6:14,16 9:16 13:18 24:12 30:1,3 37:24 46:15,17 57:16 71:13 77:1 83:6 109:24 116:8 156:16 159:15 believe 10:20 15:15,16 20:11,15 21:10 22:10 24:4 27:18 29:2 42:16 45:19 54:3 57:17 59:17,24 67:25 70:9 70:14,19 91:7 101:1 102:13 102:13 104:9,14,14,15 105:15 109:6 131:9,23 137:12 140:8 144:23 146:18 147:15 148:14 162:4,12,16 best 95:14 153:13 154:13 better 87:3 127:11,12,18 130:25 139:9 152:9 beyond 18:15 28:12 29:18 36:7 37:9 41:2,9,14 42:7 43:5 45:18 50:14 53:12 55:6 56:8 60:12 63:7 64:19 66:18 68:7 73:13 77:6 78:11,24 98:8 103:20 110:3 116:5 120:18 123:25 125:4 126:9 127:1,6,9,14 131:7 134:12 150:2,15,16 bid 80:5 big 39:5 bills 147:17 binder 21:20 bit 15:15 21:19 28:6 157:24 blackwell 3:13,23 163:6 blanket 31:1 43:12 blew 106:6 blown 103:16 bo 3:24 bob 109:13	body 79:22 bottom 81:19 87:11 bought 59:18 94:2,2 break 61:6,10 88:17 broad 65:17,18 bucket 158:6 building 58:17 buildings 25:12 26:4 93:13 95:9 96:1 138:21 bulk 12:18 bunch 69:6 business 9:11 11:24,25 60:8 94:19 150:24 158:25,25 160:13
asked 6:10 23:9,12 38:18 39:20 41:11 44:7 48:12 54:25 56:17 63:20 64:10,16,25 66:10 67:17 68:13 79:19,24 82:14 106:11 131:16 asking 28:18 30:12,20 37:7,11 38:12,24 39:22 40:14,16,17 41:10,13,15 45:23 46:23,24 47:8 51:21 55:5 56:6 67:10 67:12 68:24 69:11 73:12 74:11 89:23 90:7 97:8 98:11 99:17,19 104:24 110:20 112:10 150:18,18 155:11 157:22 asks 71:3 80:5 110:17 assembled 21:4 assertion 36:24 40:6 assisting 57:2,2 associated 9:10 11:25 45:11 52:25 77:12 121:1 146:11 assume 13:20 25:6 71:19 89:17 120:10 123:17 124:19 129:11 133:6 141:20,21 142:6 144:3 149:22 151:22 152:11 156:2 159:21 assumed 151:4 160:22 assumptions 91:12 assure 9:19 14:10 attempt 16:20 attention 79:20 attorney 17:17 93:1 102:1 122:24	b back 24:4 61:11,21 83:1 88:18 88:20 96:13 98:19 99:2,5 100:23 131:11,12,22 133:9 140:7 143:18,20,22 146:20 153:14,16 155:11 161:18 bankruptcy 99:1,4 100:17,21 107:3 109:10 118:4,18,19 based 11:8 18:10 25:20 34:13 64:23 78:16 109:8 119:6 124:14 143:22 161:4 basically 11:2,14 31:13 53:21 81:24 106:1 basis 16:23,24 35:10 113:3 114:21 119:9 124:17 131:21 132:19 133:3,7,24 134:9 136:18 137:11 142:9 142:15,22 143:1,8 145:9,24 146:10,16 bates 14:15,15 63:5,16 64:14 81:19 107:18 115:2,4 155:15,16,17,19,20 bay 32:2 35:19 40:22 46:5,8,11 46:12 47:6 71:4,9 76:17 78:18 79:7 118:12 beat 160:16	c ca 1:4 3:4 4:23 call 54:5 59:12 119:17 called 8:22 31:14 56:4 123:23 124:3 calling 37:8 134:12,13 135:5 calls 18:14 28:12 29:18 41:8 43:5 45:17 50:14 53:12 60:12 63:7 64:19 66:18 67:6 77:6 78:11,24 98:8 110:2 120:18 125:4 126:9 150:2,15 cantonment 91:21 capability 82:8 108:12 capacitors 26:7 carefully 163:10 careless 141:18 carolina 70:10,11 carondelet 3:13,23 163:6	

[case - continue]

case 1:4 3:4 4:22,23 5:4,6 6:18 14:3 18:2 19:10 20:20 37:19 39:4 48:11 57:8 58:4 82:7 90:11 92:3 101:14,21 101:24,25 102:9,11,21,23 103:1,4,14 105:6,22 108:4 108:15 116:1,7 120:6 123:23 124:4,15 125:2 134:22	characterize 68:25 characterized 138:17 charles 3:22 charlie 5:5,21 19:8 29:4 40:16 68:11 69:4 88:11 93:2 94:4 chastised 161:14 check 27:13 28:1,4 35:12 54:21 78:8 chemical 30:15,15 105:25 147:5 chemstrand 91:21 chosen 14:9 circle 137:3 circuit 1:1,1 3:1,1 4:24 circumstances 8:12 80:3 claims 103:17 146:23 clair 102:18,18,25 103:8,24 clarify 29:20 47:2 classification 81:25 139:23 classifications 67:21,23 cleaned 79:7 clear 128:9 151:2 cleared 142:5 clearly 80:16 client 93:1 156:17 close 10:14 11:14 closed 132:1 135:10 141:1 closure 131:20,23 146:9 closures 153:6 colleague 161:4	colleagues 156:18 collected 16:13 19:20 35:25 71:4 collecting 16:11 collection 14:24 21:3 63:2,3,3 collections 63:13 76:19 coming 79:20 comment 40:6 51:2 commission 163:18 164:12 commissioned 163:5 communication 33:7 34:5,16,18 112:3 117:1 communications 31:17 32:5,8,15,18 52:10 52:23 57:17 65:2 66:1 108:22 110:18 112:7 companies 6:20 97:21 company 1:6 3:6 4:23 7:2 8:22 59:14 59:17 60:6 87:13,13 93:20 132:22 133:16,22 142:8 149:1,3 164:19 complete 18:5 33:22 62:3 137:3 151:15,16,16 completed 144:19 completion 141:3 146:24 compliance 12:4 87:16 132:16,17,22,23 133:15,16,19,22 134:2,5 147:23 compliant 133:25 134:1 comports 34:20 compressor 26:8 30:13 31:8 computer 130:7 computerized 129:15,17 computers 158:21	concept 74:25 concerned 98:6 concerning 38:16 62:17 163:9 concludes 162:20 conclusion 134:14 135:5 condensers 26:7 condition 75:22 confident 47:14 48:1 124:1 156:19 161:3 confirmed 156:20 confusing 114:15 connected 59:21,22 76:17 124:22 148:19,22 connection 7:8 8:4,9,21 9:15 13:17 25:6 34:17 37:13 39:3,10 51:15 57:8,11 69:14 80:19 82:24 84:13 86:5,6 96:10 101:24 103:15 120:6,7 125:1,20 131:20 137:9,19 139:3 144:16 145:6,8 148:11 158:14 constituting 35:15 consultant 58:2,4 104:8,9 consulting 23:17 104:15 contain 26:4 27:7 76:20 contained 26:5 50:20,21,23 117:8 144:17 containing 26:5 49:17 51:18 contaminated 42:7 79:6 contamination 78:18 79:21 content 55:19 contiguous 32:2 continue 40:13 69:11
---	---	---	--

[continued - deposition]

continued 17:13	correspondence 12:20 13:5 65:15 80:6,17 82:20 83:1,13,25 87:14 147:18	dash 14:19	deep 130:8
continuing 51:2 79:10	corresponding 119:5	data 10:5 14:10,12,15 19:19,22 25:4 27:24 37:22 62:9 65:16 66:4 72:22 75:16,18 81:23 98:2 115:21,21 132:17,23 133:2,17,23 134:5 136:9 137:9,16 142:7 147:6,6,9	defendant 76:12 105:1 108:5 148:11
contract 132:12	counsel 4:2,2 9:17 13:19 67:7 73:12 81:2 92:17,18 104:15 109:6 122:1 124:19 125:23,24 128:15 129:11 154:25,25 155:3,18 156:6 159:23 163:14,15	databases 112:21	defendants 1:7 2:10 3:7,22 4:3 5:6 6:17 6:18 61:25 81:2 95:24 99:15 105:6 124:16,17 149:19
contracted 82:1	counselors 5:1	date 4:20 27:14,16 41:23 62:4 102:7,8,8 104:10 107:6,7 164:5,24	deficiencies 38:23,24 40:8
contractor 82:1,10,18 83:3 84:2 89:19	county 1:1 3:1 4:25 102:18,25 103:8 132:18 163:3	dated 86:16,18	definitely 60:3,5 82:6
contractors 80:8,18 81:3 82:4 141:22 153:4	couple 20:14 52:22	day 3:13 129:7 163:17 164:9	definition 50:17
contracts 80:6 81:20	course 6:13 31:13	days 7:7 24:21 143:6	delete 130:10 143:4,6
control 62:10 132:2 148:4 157:19 157:21	court 1:1,25 2:23,25 3:1,14 4:5 4:15,24 5:7 23:20 61:2 76:14 146:22 163:4 164:24	deal 77:10	deleted 112:11,14 143:16
controls 25:13 96:3	covered 54:4 97:23 144:21 148:8	dealing 84:22 87:20 101:4,4 142:20 145:4	deliver 159:18
controversy 163:9	crazy 144:8	dealings 83:10	dep 32:23
conversation 34:24,25 119:12 143:7	created 17:2 20:6,13 59:15 128:25 149:22	deals 34:1	department 8:3,14 15:5 17:21,22 31:20 31:21 35:25 62:12,13,15,17 117:22 123:14 141:10,15 143:17 144:3 146:23 154:11 159:6,16
conversations 82:23,25 85:19 86:7 87:14 118:25 130:3,13 137:4,4,5 142:23,24	creation 16:19 17:21 114:18	dealt 65:1 81:14 85:11 116:24 130:3 142:21	depend 51:9 79:1,4
copies 32:10 33:2,23 49:14,23 152:11,12	criminal 148:10	decade 15:13	depended 83:2
copy 5:20 87:13 113:25 114:5 132:22 133:16,22 134:5 143:13 152:6	crux 106:14	decanters 26:6	dependency 113:17
corlew 147:2	csr 1:19 164:23	decide 67:20 102:3 127:14	depending 38:17 75:12
corporate 23:10 24:13 148:15,18,25	curiosity 122:6 156:8	decided 114:21 127:18 135:16	depends 44:25 76:3
corporation 55:7 101:18 148:16 149:11 149:14	curstory 78:6 119:7	decision 15:25 56:1,23 154:19,23 155:6	deponent 94:12,14
corps 31:22 111:24 112:4	custody 8:7 62:10	decisions 64:23 65:9 146:16	deposed 105:17,19,22
correct 6:14 7:1 10:20 16:14 21:1 21:13,14 23:3 33:20 42:18 49:9 52:4 58:10 59:23 64:6 69:25 82:15 87:12,18 107:1 116:10 117:7,10,19 118:10 118:13,15 121:10,17 128:6 128:7 131:9 132:16 142:1,3 142:3 149:10,20 163:12	cute 161:10	deduce 126:5	deposes 4:15
correctly 133:11	d	deducing 127:20	deposited 118:1,2
	d1 140:15	deduction 128:8	deposition 1:12 2:9 3:11 4:3,19 5:23 6:5 13:22 18:16 21:21 24:23 28:13 29:19 36:6 37:10 40:10 41:9 43:6 45:18 50:15 53:13 56:9 57:12 60:13 63:8 64:20 66:19 69:2 73:14 77:7 78:12,25 88:22 90:24,25
	da 161:8,8,8		
	darn 93:6		

[deposition - dr]

deposition (cont.) 93:5 97:5,13 98:9 103:21 110:3,16 116:5 120:19 125:5 126:10 134:13 150:3 150:16 157:23 162:19,21 163:12,14 164:2	direct 2:3 5:11 directly 11:25 disagree 28:15 38:9 40:6 69:8 95:2 126:19 discharge 133:13 discharges 42:1,1 disclose 67:6 discovered 78:20 113:9 discovery 94:6,7,18 99:14 107:24 157:23 161:5 discuss 9:17 10:22 11:17 23:15 40:10 75:20 89:2 discussed 89:10,18 106:25 116:8 discussing 35:9 78:2,2 140:12 discussion 47:1 114:24 discussions 158:16 disease 62:14 disk 129:15 disposable 27:12 49:16,20 disposal 49:20 50:9,10,24 51:16,17 80:20,22 81:4 83:16 135:1 135:6,12 139:4,20 140:18 145:21 147:21 dispose 80:9 82:4 135:16 disposed 51:1 135:13 disposition 38:7 disseminated 35:17 40:20 distinction 65:11 distinguish 43:22 64:16 65:3,7,19 68:15 distinguishable 63:22	distinguishes 65:23 132:9 district 31:24 101:15 ditches 25:13 96:2 division 1:5 3:5 doc 66:9 doctor 5:17 document 15:24 25:2,8 28:4 34:2 35:5 39:23 40:11 46:2 47:6,22 61:16 62:3 63:2,3 66:4 67:20 69:19 70:4,15 74:11 76:19 81:15 88:4 90:15 91:8 92:2,10,11 93:16 95:8 96:8 97:1 98:13 104:12 109:22 110:14 111:22 112:2,5 123:3,7,8 131:22 137:25 142:2,17,18 143:7 147:7,13 156:13 documentation 54:6 84:9 documented 50:7 documents 8:11,16 9:25,25 10:23 11:3 11:4,7 12:4,4,9,13,13,16 13:11 14:2,4,7,8,11,24 15:2 15:3,17 16:1,10,11,14,21 16:22 17:1,8,11 18:2,5,7,10 20:2,4,5,16,17,24 21:4,8,23 22:2,3,5,6,8 23:2,6,12,13 23:21,23 24:1,7 25:11,17 25:18,21,23,24 26:3,9,11 26:24,25 27:3,7,8,11,15,20 28:16 31:17,25 32:4,6,8,12 32:21 33:2,5,6,12,13,17,22 33:23 34:4 35:15,20,23,24 36:1,17,18,20,22,23,25 37:4,5,8,13,16,17,21,25 38:10,25 39:1,3,6,7,13,15 39:16,22 40:13,18,23 41:11 41:14,20 42:19 44:2 45:11 46:3,19,22,24 47:14,18,20 47:25 48:4,9,10,20 49:4,7,7 49:17,23,25 50:4 51:16,22 51:24 52:3,8,10,16,19,21 52:25 53:2,4,7,14,19,22,24 54:13,21 55:14,16,18,20,22 56:2,8,12,13,16,19 57:3 60:10,18 61:18 62:2,9 63:4 63:10,11,15,18,19,20,21,23	documents (cont.) 64:5,8,11,13,15,24,25 65:3 65:4,6 66:6,8,10,16 67:10 67:11,16,22,23 68:2,9,11 68:14,22 69:3,6,18,20 71:7 71:8,14,16,18 72:1,4,6,6 75:1,19 77:3,19,23,25 78:2 78:3,7,7,15 80:5,7,11,12,14 80:17,24 81:1,6,18,20 82:16 83:9,11,12,20 84:4 84:12,17 86:9 89:3,9,13,22 89:24 90:1,10,12,16,18 91:2,3,9,13,25 92:6,7,13,13 92:21 93:7,7,12,21,25 94:3 94:9,14 95:7,16,19,25 96:13,20,23 97:2,3,4,9,11 97:14,16,24,24,25 98:1,4 98:14 99:8,10,11,11,18,21 99:22,24 100:6,12,14,23 101:21,23,25 105:19 106:22,25 107:4,4,13,16,18 107:23 108:6,7,9,16,21,25 109:5,7,9,25 110:9,14,18 110:21,24 111:8,14,19,20 111:25 112:7 113:3,7,8,10 113:20 114:9,16,20,23 115:5,8,17 116:6,10,23 117:8,18 118:1,3,5,8 121:1 121:3,5,12,12,22 122:10,13 123:6,23 124:7,11,20,24 125:1,21 126:2,6,12,17 128:21 129:18,24,24 131:19 132:3,3,4 136:7 141:25 142:4,5,12 143:15 145:18 147:5,10,20,23,25 148:3,8,17 150:7,17,19 151:14,24 152:4 154:14,17 154:19,21 155:2,12,14,18 155:19,23 156:4,9,19,22,24 157:2,4,8,25 158:5,7,8,16 158:20,24 159:2,5,10,17,24 160:6,7,9,10,12,17,20,25 161:5,8,12,24 162:1,14,15 doing 43:11,12 58:6 135:20 161:14 don 156:12 donald 3:20 5:3 156:5 double 155:15 doubt 74:13 99:25 100:8 140:21 dr 5:16,18 13:23 29:9 30:2,4
---	--	---	---

[dr - extremely]

dr (cont.) 34:13 40:18 42:23 44:14,16 46:15 55:21 61:13 63:9 64:21 65:12 67:24 72:24 78:16 79:17 81:17 88:20 89:14,23 95:5 98:21 99:18 101:3 111:3,13 120:4,14 125:19 126:23 127:20 131:10 140:14 145:22 149:24 151:11 153:5 156:20 158:7 161:9,18,21 162:17	efforts 75:24 84:14 eight 99:20 either 6:18 12:5 19:20 50:8 55:22 69:24 70:2 79:21 84:2 89:11 107:20,20 115:20 135:17 139:8 140:8 145:19 154:25 155:3 electrical 31:6 electronic 25:4 152:6 153:11,20 electronically 23:7 131:2 153:9 embarrassing 126:13 employed 7:10 102:14,16 163:14,15 employee 6:25 28:19 35:1 103:4,25 125:17 126:3 128:11 163:15 employees 12:21 34:16 58:25 59:3,8,9 59:21 60:4 85:8,8 125:21 125:22 126:7 employer 97:3 empty 158:6 engineer 138:16,20 engineering 137:19 138:4,12,23 139:2 139:14,18,23 140:15,24 141:10,11,15,19 engineers 31:23 111:24 112:4 english 93:10 entered 99:1 109:16 entire 18:25 19:3,4,6 entities 6:17 128:14,19 entitled 61:16 entity 124:21 149:14,17 environment 19:18 21:22 117:1 environmental 11:23 12:3,22 15:1,18 17:6	environmental (cont.) 18:8 22:22 23:18 26:17 31:18,20,21,22 32:15 33:8 34:6,19 35:16 38:11 39:13 40:19 41:24 42:14,14 44:4 44:4,14,15 62:13 108:18,23 110:19 112:9,18 114:2,10 114:16 115:9 117:2 118:9 130:2 133:6 150:7,19 151:23 152:24 153:1 epa 31:22 32:9,23 49:22,24 50:18 51:10 53:22 62:15 114:5 134:16 135:13 equipment 26:4 30:13 31:7 50:8,8,8 escambia 1:1 3:1 4:25 35:19,19 71:4 71:4,9,9 76:16,17 78:18 79:7 118:12,12 escaped 44:17 especially 32:8,9 et 1:2,6 3:2,6 4:22,23 164:17 164:19 event 78:16 82:9 104:21 131:4 evidence 40:18 evidencing 35:15 exactly 39:21 141:19 examination 2:1 5:11 163:10 examined 3:12 4:13 163:10 example 21:18 56:12 134:15 136:4 excuse 10:3 23:11 35:22 58:7 61:19 116:12 excused 162:23 exemplar 145:22 exemplaries 75:11 exemplars 73:9 145:18 146:6,6 exhibit 2:6,8 5:19 6:1 33:19 49:5 55:2 61:14,22,24 88:21	exhibits 2:23 exist 12:22,22 25:17,21,25 26:9 27:9,11,17 32:6 35:21,23 36:2 40:23 41:16,20,20 42:6 44:2 46:2 47:10 48:20 49:4,10,19,20 51:24 52:8 71:14,16,18 73:24 77:3 87:23 89:15,15 90:4,7,10 90:12,14,18 91:2,13 92:14 93:7 110:10,14,19,21 111:6 111:21,25 119:10 121:13 140:6 147:10 159:2 existed 8:10 25:19 47:25 49:24 55:14 60:1 72:17 84:17 92:1,6,21 95:17 112:25 117:12 120:7,14 147:23 existence 25:10 26:2 27:3 28:15 31:16 32:4 33:4 35:14 38:10 39:12 40:13 41:11,13 47:5 52:9 54:25 68:10 89:2 89:8,22 91:1 93:6,24 99:22 108:21 109:24 111:11,12 112:6 113:18 121:11 124:6 126:12 158:4 existing 59:17 exists 92:11 98:5 111:14 113:1 129:4 147:11 155:10,14 expanded 15:1 expect 14:11 expected 9:22 experience 9:22 34:13 78:17 79:16 84:3 119:19 expires 163:18 164:12 extent 12:7 13:3 25:24 26:9 27:8 32:6 34:20 36:2 37:7,20 38:4 40:23 49:12,19 56:6 71:19 72:3 89:15 90:3 98:10 107:23 116:9 124:18 150:16 extremely 29:11
e			
earlier 14:6,24 15:4 18:3 58:24 60:20 92:18 93:18 112:16 130:4 134:16 136:17 142:21 143:5 150:12 153:14,14 early 15:6,10 20:9 36:2 53:9 54:18 84:22 114:19 117:7 effect 49:21 75:9 87:21,22 effort 40:25 75:5 90:17			

[facility - goes]

f	fill	form	general
facility 59:16 60:6 102:18 103:8 134:18,19 138:4,9,11,15,19 138:20 140:9 142:13	156:16	16:8 57:4 81:8 110:1 120:11 146:1 148:21 152:6	8:10 11:13 14:4 16:16,20 17:13 26:3 38:13 56:7 67:19 73:16 75:10 76:6 80:24 86:23
facsimile 52:13	film 145:5,6	formal 148:23	generally 7:7 17:1 32:14 33:10 51:21 56:19 62:18,19 66:3 69:9 72:19 74:3,8 76:4,13 82:20 83:16 85:23 86:1,4 89:10 105:23
fact 14:11 108:9 124:14 126:24 127:13,21	financially 163:16	formalization 82:22	generated 13:4 15:12,13 16:21 17:1 20:8 26:20 36:1 44:21 75:1 137:9
fair 59:6 68:20 69:7,16 125:19	find 39:23 40:3 69:5 78:7 89:25 90:2 92:1 94:9 98:20 104:21 114:9 115:15,15,19 117:25 131:3 138:22 139:1 150:24 156:12 157:23	formally 28:19	generating 25:19
fall 81:24 139:7 140:2 142:16	finding 44:17 93:20	format 130:18 143:12	generically 104:18,23
falls 139:23	findings 53:20	formation 94:7	gentleman 156:17
familiar 7:5,19 8:8 17:19 21:16 24:17,21 30:7 38:21 45:5 63:16 122:16,24	fine 24:1 29:4,10 36:15 40:4 43:14 88:9	formed 7:22 102:12	george 5:15
familiarity 14:1	firm 3:13,21,23 10:2 13:15 20:15 21:4 23:17 38:17 105:2,4,5,7	former 60:4 125:22 126:3	getting 76:1 98:23 114:14 123:25 130:7 135:6 155:19
familiarize 14:6	first 1:1 3:1 4:24 14:12 24:13 36:11 61:17 62:1 89:8 90:8 90:9 98:4 158:2 163:8	forms 62:9 65:16	give 5:20 31:15 39:5 54:2 127:24 134:15 145:18 146:5 150:6,6 159:12 161:19 162:13
far 14:2 37:4 54:22 69:17,18 98:5 106:22 112:11 154:10	fit 63:20,21 64:9 67:16,21,22 104:20	forth 83:1	given 22:10 99:2,5 105:10 121:25 124:16 125:8 163:12 164:4
fashion 29:24	five 70:25 99:19	found 27:1 53:16 158:9	giving 136:4
features 25:12 89:18,19 90:1 95:9 96:2	fla 21:9,24 119:2,4	four 34:1 49:5 70:24 95:4 99:19	glad 151:6
federal 12:5 33:8 34:6,19 62:15,17 83:24 84:7,25 85:20,24 86:7 108:25 117:1 132:18	florida 1:1 3:1 4:25 21:2 31:19,20 31:23 62:12,13 91:21 97:24 107:19 128:23 154:14 155:12,17	frame 7:21 27:21 37:1 54:19 84:25 107:9 114:24 115:9 121:9 137:6	gnz 22:3 60:10 97:2 115:21 154:1
feel 29:9	fluid 26:8	frankly 8:15 59:7 74:13 78:22 84:15 104:12 117:3 119:19 126:11 127:17 139:22 146:6	go 7:20 11:8 23:5,16 27:22 36:15 37:10 39:8 50:16 55:9 61:13,21 64:21 67:4 82:23 86:24 88:15,20 98:19 116:19 127:14 129:14,19 130:22 131:11,12,22 133:9 134:14 143:5 146:20,21 150:20 159:7 161:18 162:21
figure 68:11 104:20 155:21 157:15	folks 83:6 93:5 113:25 117:2	front 61:22 137:25	goals 69:10
file 33:22 34:15 87:15 102:15 105:20 132:24,25 133:17 133:24 136:1,9 140:9,9,9 146:23 152:13 158:21 160:13	follow 80:2	further 138:10 163:13,15	goes 127:5,9 131:7
filed 12:4 105:14 109:10	followed 11:1	g	
files 11:12 32:13 34:17 49:14,15 56:14 90:3 91:13 115:11,12 115:12 140:6,25 141:1,21 143:13 146:22 157:5 159:10,12,17,23 160:4,11 160:14	force 84:11,16	gamut 47:7	
	foregoing 164:2	gap 155:14 156:14,16	
	forenoon 3:13	gas 26:7	
	forgotten 23:13	gather 126:6	
		gathered 8:13 15:21,22,22 24:1 126:16 127:25	
		gathering 57:3 101:20 124:24 125:1 128:20	

[going - injured]

going 18:12,13,13,13 19:5,6 37:6 38:24 39:11 40:3 43:24 45:16 61:5,19,20 63:6 66:22,24 67:5 68:4,24 78:23 92:22 93:20,23 98:7 110:11,11 116:3 118:23 131:16 134:11 135:4,16 145:17 150:21,22 156:12	happy 86:10	historically 74:20	incidents 115:9
gonzales 154:4	hard 143:13,13 152:6	history 27:4 28:16 105:23	include 15:1 19:19 26:24 38:12 77:7 78:13 132:6 133:5 134:24 142:6
good 83:4 93:6 94:16,21 156:10 162:13	hark 1:19 3:14 4:4 163:4 164:23	hold 45:3 105:4	included 12:3,8 26:21 40:11 48:1 92:15
gotten 47:21 117:19,23	hat 104:20	home 58:11	includes 52:12 134:25
government 12:5,6 34:25 87:15 130:4 136:9 142:25 152:13	hazardous 80:9,22 81:22 83:16 150:9	honestly 77:25	including 14:16 26:6 31:19 108:23
governmental 27:24 87:20 130:13,14 137:5	headquarters 10:1 11:7 57:22 83:14 115:12 117:21 140:7	hour 61:6	incorporated 86:16,17
group 117:22	health 11:23 14:25 15:18 17:5 18:7 19:18 21:22 26:17 62:13,16 108:18 112:18 130:3	hours 3:12	incorrect 10:11 16:15
groves 140:6	hear 39:10	house 82:8 155:3	independent 80:8 81:3,25 82:10
guess 21:19,23 22:7 29:20 30:11 36:24 37:2,11 40:15 54:4 59:12 65:14 73:1,25 89:21 111:23 113:16 116:22 152:19 158:11	heard 13:2,2 18:4 29:11	housed 8:14,16,18 160:8,9	index 2:1,6 129:2,3 137:24
guessing 15:15 17:10 22:1	heat 26:8 31:7	huge 85:12	indexes 10:4 152:14
guy 94:21	held 11:16 12:10 84:13 85:7	husch 3:13,23 10:2 21:4 22:10 105:4,7 163:6	indicate 47:20 72:6 75:16 76:2,7 121:5
	hell 151:6	hydrology 147:13,16	indicated 58:24 59:9
	he'll 162:14	hypothetical 44:19,25 45:7,12 146:15	indicates 155:13
	help 18:24	hypothetically 45:10	indicating 132:17
	hereinabove 164:5	i	individual 11:10 138:24 143:10
	hereto 163:15 164:3	idea 45:11 51:14 59:7 60:18 66:5 123:12 144:6 148:13 153:22 156:15 160:19	information 7:11,13,14,16 13:9 20:7,8 21:7 25:20 27:19 31:12 41:19 46:14 65:24 79:20 90:5 106:1 116:25 122:1 143:16 148:7 157:24 159:25
h	hereunto 163:17	identified 16:22 20:18 81:18 154:20	informational 117:16
half 94:20	hidden 94:25 95:1	ii 5:15	informed 6:6
hand 163:17	hide 40:4	illinois 101:15 102:19,25 103:4 105:12,13,14,16	inherit 98:12
handle 122:13	hiding 40:7	immediately 58:21	inherited 98:13,24
handled 159:20,21	higher 154:15 155:13,20	impoundment 42:12,25 43:3 44:8,17 45:2 45:14 47:21 51:12 54:1,8 54:16 73:2 74:22 84:22 136:17 137:14	initial 16:19
handles 125:14	hire 82:4	impoundments 25:14 42:7 96:4	initially 14:25 20:5,6 49:14
handwritten 52:12	hired 93:5	impression 67:7	injured 103:15,17 106:6
happen 9:3 46:13 99:12,13	historical 8:1 72:14,15,22,25 73:3,16 75:16,18 96:13 106:8 110:24 113:20 116:23 117:4	improvements 25:15 96:5	
happened 8:24 42:5 103:16		incident 42:14 45:4 51:20	
happens 132:8			

[inquired - late]

inquired 110:13	involve 75:11 103:7	kaley (cont.) 149:24 151:11 153:5	know (cont.) 135:2 138:16 140:2 141:6,9
inquiry 41:21 64:22	involved 6:17 28:7,8 47:17 52:23	156:20 158:7 161:4,9,18,21	141:23 142:18 143:23
instance 10:4 83:10 84:21 113:10	57:1 67:8 71:20 72:3 82:5	162:17 163:7 164:1,7	144:1,2,5,7,12 146:16
130:4 154:20	83:25 89:19 101:20,23	kaley's 161:7	147:2,8,11,22 148:2 149:24
instruct 66:22 67:5 68:17 92:23	102:1,3 103:3 104:6,24	keep 45:25 85:9 126:21 133:24	150:4,5 151:22 152:1,9,10
instructing 18:21	105:8 127:22 160:2 162:5	134:2,9 136:1 139:5 151:12	152:16,17,23 153:10,11,12
insurance 21:25	involvement 106:8	keeping 153:20	153:18,24 154:1,12,18,18
interaction 52:11 112:8 113:21,24	involves 107:25	keeps 154:8	154:24 155:1,1,7,10,22
interactions 31:18 32:15 108:22 110:19	involving 101:17 102:11	kept 87:17 150:8,13 151:25	156:14 157:3,6,11,13,18,20
interchangeably 141:14,17	issue 24:15,20 106:4 117:14	153:5,8	158:2,4,9,10,12 159:3,22
interest 72:25	issued 76:11,21 86:20	kind 7:18 17:8 32:17 44:16	159:25 162:12
interested 163:16	issues 15:18,18 17:6 18:6 26:18	83:10 84:9 85:16 90:4	knowledge 63:4 69:22,23 123:16
interim 58:21	57:18 106:8 112:18,19	92:14 117:11 120:7 129:15	128:18 160:24 161:2,8
internal 52:10 78:2 82:23 147:18	114:10,16 142:21	148:7 160:8	163:9
interrogatories 68:13 69:1	items 6:9 95:10	kinds 12:9 14:10 49:10 66:10	knows 18:24 28:18 41:15 44:14
interrogatory 73:13	j	80:11 82:8 83:12 84:16	161:11,19 162:11
interrupt 30:25 79:12	january 163:18	90:4,5 91:13,14 142:11	kriegshauser 3:24
interrupted 23:20 61:2 76:14	job 161:14	143:24	krummerich 28:23
interrupting 161:15	john 1:2 3:2 4:22 164:17	knew 8:10 126:1	krutsinger 101:17 102:15 103:4 105:6
interruption 23:23	joint 97:20	know 6:20,21 8:15,18,24 14:20	I
interviewed 9:24	jointly 97:21	16:9 17:9,11,15 18:1,9,24	lab 62:9 66:4 152:24,25 153:1
interviews 18:10	judicial 1:1 3:1 4:24	20:12 22:1,3,20 23:14 24:1	labels 14:15
introduced 6:1 61:24 105:20	july 1:14 3:12 4:20 163:17	25:1,1,25 26:10 27:16 28:8	laboratory 35:16 39:13 40:19 52:15
inventory 80:8 81:4	164:2,24	28:22 29:5,6,14 30:5,8 33:3	118:9 152:21
investigate 82:1 91:12	june 86:18,18 87:3 107:8	36:9,23 37:5 39:4 40:5,6,17	lack 76:15
investigation 55:8 76:7 121:1 148:10	k	42:1,2 43:16 46:1,4,6 47:23	laden 50:25 85:12
investigations 27:18 75:20 82:8 89:20	kaley 1:12 2:2 3:11 4:3,12,19	48:9,18 49:3 50:3 51:13,14	lading 147:18
90:5 91:11,11,14	5:15,16,16,18 13:23 29:9	51:21 52:1,8 53:10 54:5,7	lady 122:3 125:7,11
invoices 80:6	30:2,4 34:13 40:18 42:23	55:24 56:16,24 57:1,6	land 48:14
	44:14,16 46:15 55:21 61:13	58:15 59:3 60:14,16 65:16	landfill 53:25 54:5 73:2 135:10,13
	63:9 64:21 65:12 67:24	66:2,20,21 67:3,19 69:13	136:3
	72:24 78:16 79:17 81:17	71:7,12,20,22,25 72:5,8,25	landfills 27:5,15 74:18
	88:20 89:14,23 95:5 98:21	73:4,19,21,23,24,25,25	language 93:10
	99:18 101:3 109:13 111:3	74:13,21 75:18 77:9 79:1	large 82:5 85:11
	111:13 117:12 120:4,14	83:2,8 85:4,10,14,25 86:4	largely 110:21
	125:19 126:23 127:20	87:25 90:13 91:5,7 93:6,14	late 11:16 15:6 53:8
	131:10 140:14 145:22	94:13 98:3,16 99:25 100:2	
		100:4,4,6 101:2,2 102:22	
		104:11,25,25 105:5,8	
		109:12,12,18 110:17	
		111:20,21,22 112:4 115:3	
		117:16 119:22,24 121:2,3	
		121:18,22 122:21 123:4,13	
		123:18 124:2,5 125:6	
		127:11,12,13,16 128:9	
		129:3,11 130:22 131:2,15	

[latest - mark]

latest 87:5	list 33:9 89:25	look (cont.) 88:25 95:4 97:12 100:7	maintained (cont.) 112:17 115:11 117:20
law 3:13,21,23 8:3,13 15:5 17:21,22 35:25 105:2 117:22 123:14 134:4,7,8 136:5 146:22 154:11 160:3	listed 25:23 89:3	108:13,20 109:22 116:24 131:11,12 132:14 137:21 139:17 142:19 144:7 145:2 156:9,12	118:3,16 119:8 123:14 130:5,16,17,18 131:6,20 133:3,7,14 134:20 136:15 136:22 137:7,10,21 138:7 142:9,22 143:1 145:8,20,24 146:10 147:24 150:21 151:20 152:4,5,15,15,21 153:9,17 154:11,12 156:6 157:8 158:21 159:5
lawful 4:13	lists 108:24	looked 6:5 14:5,8,13 25:6 34:22 36:18 39:16 52:17 63:10,15 63:23 64:5,13 66:8 77:20 77:23,25 107:17 119:1	maintaining 16:11
lawsuit 94:20	litigation 15:21 17:25 20:13,17,20,22 20:25 21:6 24:15 26:12,13 26:15 47:23 53:1 96:14,21 96:25 103:10 104:10,16 113:11,17 116:11 117:23 117:24 128:24 129:8 144:16,18,19 146:23,24 147:2	looking 35:5 39:2 63:19 88:1 119:6 132:20 137:23 138:11 156:21 157:1,25 158:1,5,6 158:7,8,10,11 161:9,10	maintains 123:6
lawyer 105:8	litigations 15:24 20:10	looks 87:17	maintenance 24:13 25:5 26:4 27:5 28:18 34:15 161:1
lawyers 56:23 155:5,25 156:24	little 15:15 19:14 21:19 27:22 28:6 73:17 98:23 130:8 157:24	lost 23:11	major 11:18 20:15
layout 72:15 73:9 74:3,5,14,19 138:20	llp 3:13,23 163:6	lot 43:19 120:1,3 127:18	making 29:1 43:9 44:13 66:25 68:18 91:12 126:21 136:16
layouts 73:16,17 74:8 146:6	local 33:8 34:6,18 117:1	lots 147:20	managed 51:11 60:9 75:13,14
lead 124:25	located 25:22 27:6 33:20 40:24 41:18,21 42:11,18 44:2 57:22 58:8,13 70:13 72:1 73:4 74:23 77:3 79:22 81:19 82:16 89:11 90:19 91:20 110:24 138:21 161:1	louis 3:14,23 10:1 11:9 12:8,14 12:17 13:6,8 32:10,24 33:2 33:24 49:24 55:23 58:9 61:1,4 70:2,5,8,13 82:18 83:5,15 89:12 99:7 122:10 151:20,21,23 152:3 163:3,6	management 31:23 59:25 74:23,25 75:4 75:12,21 76:5 146:9
leafed 23:7,8	location 25:10,11 26:2,3 27:3 31:17 32:4 33:5 35:15 38:10 39:12 40:13 68:10 75:3 89:2 92:7 93:13,24 95:9 96:1 99:22 108:21 109:25 111:12 112:7 121:11 124:6 126:12 150:17 154:6,7 158:4 160:8,9	lubricant 31:8	manager 22:22 82:13
leave 67:3 95:5	locations 27:4 28:16,16 33:24 52:9	lunch 88:7,8,14	managing 25:13 96:3 159:24
leaving 76:1	log 102:2	m	manifest 147:17
left 11:8,8 59:10	long 28:2 30:23 104:3 134:18 137:20 138:6 139:4 153:5 161:19	mail 130:1,11 142:20,24 143:2 143:12	manmade 25:12 90:2 95:10 96:2
legal 11:24 134:14 135:5,6 146:21 148:23,24	longer 27:17 132:3	mails 34:15 52:13 129:20 142:20	manner 86:21
letters 14:16,17 52:13 154:2	look 5:19,24 24:10 35:1 36:17 48:8,10,25 52:5 61:14 62:5 67:20 68:2,22 70:24 72:9 76:8,18 81:14 87:3,8 88:4	maintain 7:6 8:1 33:17 35:3 43:1 45:3 51:8,12 70:7 73:3 95:6 112:23 117:4 130:14 132:19 136:1,18 142:14 143:12,18,23 145:12	manual 27:13 86:16,18 144:22
level 51:6,7		maintained 7:6 11:11 12:13,16,19,23 13:3 15:4 16:4,12 17:22 19:25 20:1 26:17 27:9,24 32:7,22,25 34:17 35:8,25 36:3 37:24 42:21 47:16 48:5 49:11,13,22 50:4 51:25 55:22 58:14,25 70:9 70:17 72:15,17,19 108:13	manuals 21:20
liabilities 149:23			manufacture 29:21,23
librarian 9:24 10:6,21 13:14 17:19 122:3,4,7			manufactured 30:21
library 158:11			manufacturing 7:17 20:6,8 105:24
license 1:20			map 74:19
limit 36:5,9			mapping 145:11
limitations 38:25			maps 72:11,14,23 73:3,16 145:19
limited 26:6 31:25 38:12 108:24			mark 141:16
line 31:2,10 51:3 79:11			
lines 65:10			

[marked - need]

marked 5:19 marketing 20:7,8 marsha 10:8,9 125:10,24 material 7:18 29:23 30:8 51:1 54:1 147:6 materials 30:17 51:10 53:17 153:7 matter 32:16 38:5 69:1 77:18 81:16 110:15 130:3 137:10 138:19 matters 18:15 28:12 29:18 37:9 41:9 43:5,20 45:18 47:5 50:15 55:2 56:3,9 60:12,17 63:7 64:19 66:18 68:8 73:13 77:6 78:12,24 89:9 92:19 98:9 103:20 110:3 116:5,24 120:18 125:4 126:9 134:12 150:2,15 163:9 mcl 107:18 mean 10:17 13:11 14:9 18:17 19:2 29:21 36:21 38:9,13 44:24 58:15 63:24 64:3 65:14,15,17 66:3 67:19 74:11 75:18,19 81:25 89:23 90:4 93:7,8 96:19 97:5 98:1 98:14 103:24 105:15 106:12 108:3,4,18 112:20 116:14 120:1 128:22 129:1 138:9 141:9 143:9 145:12 146:21 150:11 151:14 152:19,22 155:23 156:1,3 157:16,22 160:7 means 14:18 91:2 146:7 157:20 meant 12:25 16:9 50:6 160:17 measured 106:13 measurements 106:14 media 143:14 meet 32:12 83:21 meeting 33:5 34:3 52:14 84:25 119:20 130:13	meetings 9:17 11:16 84:10,13 85:7,9 85:13,16,23 87:14 120:1,3 120:10 memorandum 34:15 52:12 119:14 memorialize 32:4 49:18 110:18 112:7 memorialized 84:6 85:22 119:13,14,20 120:11 137:6 memorializing 32:14 52:10 108:22 112:3 memorize 131:18 memorized 28:5 memos 147:18 mention 96:11 mentioned 14:24 22:3 32:19 57:9 60:20 78:9 84:21 95:10 106:15 108:12 142:21 155:8 157:7 160:20 162:8 164:5 merrill 3:23 5:5,5 16:8 18:12,19,23 19:3,7,9,12 28:11 29:17 30:23 31:3 37:6 38:3,15 39:3,18,25 40:5,9 41:7 43:4 43:8,9,15 44:6,10,11 45:16 45:21 46:18,21 47:4 50:13 51:2 53:11 55:4 56:5 57:4 57:17 60:11 61:7 63:6 64:18 66:17 67:5,9,13 68:4 68:6,7,17,24 69:8 73:11 77:5 78:10,23 79:10 81:8 88:12 92:22 93:1,9,11,18 94:1,5,11,16,23 95:1 98:7 103:19 110:1,11 116:3 120:17 125:3 126:8,13,15 126:19,24 127:7,12 134:11 135:4 138:2 146:1 148:21 150:1,14,22 151:2,8 156:17 156:23 157:25 158:5 160:17 161:15 162:13,18 met 84:7,11 105:10 methodology 80:1 metrological 147:9 microfiche 130:15,17,20,23 144:13	microfilmed 144:10 microfilming 144:9 microphone 116:13,15 mid 9:6 miles 58:16 mind 45:5 mine 10:13 minute 38:22 45:16 50:13 150:7 minutes 33:5 34:2,3 52:14 61:6 85:9 85:13 119:21 130:12 misprint 70:25 missing 39:24 146:14 missouri 3:14,15,23 163:2,5,6 mo 1:20 mode 127:16 model 80:2 monitoring 12:13,16 27:24 44:22 133:1 133:13,19 mons 14:17,20 15:8,11 17:23,24 18:1,9,25 19:4,12,15,19 21:8,10,12,23 26:16,20,25 63:1 65:5 66:9 71:7 78:6 80:11,14 95:19 96:21 97:1 97:24 99:11 100:11 107:18 108:9,16,17,18 124:9 128:23 147:5,8 154:8,15,22 154:24 155:12,16,18,20 mons00001 63:2 monsanto 1:6 3:6 4:23 6:18,21,22,23 6:24 7:3,6,11,20,23 8:2,14 8:16 12:21,25 15:4 16:6 17:9 19:10 22:24 26:18 28:7,10,19 29:12 31:14 34:14 46:5,7 58:14,23 60:4 78:17,22 79:14 87:24 88:4 95:24 96:14,21,25 97:17,19 98:5,10,14,25 99:2,5,15	monsanto (cont.) 100:10,25 104:15,17,22 107:20 108:14 109:9,17 111:17 113:4 116:9 118:5 118:25 119:4,19 122:3 123:2,9,22 124:22,23,23 127:25 128:1,10,19,19,25 148:15,20,20 149:1,1,5,6,7 149:8,12,12,13,15,22,25 155:3 164:19 monsanto's 105:23 106:7 141:10 month 6:4 94:6,18 months 11:15 107:6,12,14,16 moralizing 31:17 morning 90:9,10 134:16 move 8:5 126:22 moved 7:2 8:7 58:22 127:1 140:7 mpdes 41:25 msds 7:17 municipal 132:18 n nail 121:16 name 5:13 10:8 39:4 105:11 named 22:13 156:17 narrow 73:8 natural 25:12 26:7 90:2 95:9 96:2 128:8 nature 38:4 near 58:13,15 79:22 necessarily 16:23 21:22 30:9 66:7 74:9 75:18 91:10 142:11 157:20 158:10 necessary 75:23 109:21 need 16:9 41:7 61:19 73:8 74:1 79:3,8,11 127:15 130:5 156:16
---	--	--	--

[needed - owns]

needed 59:24 79:7 114:21 162:2	notice (cont.) 90:24 97:5 98:9 103:21 110:3,16 116:5 120:19 125:5 126:10 134:13 150:3	obviously 86:13 140:5	ongoing 144:16,18
needs 132:24	noticed 130:8,19 138:2	occasional 16:23	open 51:12
negotiated 51:9	number 4:23 6:22 8:11 9:19 11:22 41:25 42:2 52:22 59:6 61:20 87:9 96:16 98:4 101:12 108:24 148:17 154:15	occasionally 58:3	operating 134:18
neighborhood 79:21	numbered 63:5,18 115:3,4	occasions 113:8	operation 148:11 160:25
neighbors 76:16 77:3,10	numbering 64:14	occupational 62:16	operational 82:3
neither 146:18,18 163:13	numbers 63:16 81:19 137:25 138:1 154:15 155:12,15,16,17,20 155:20,24	occur 9:4	opportunity 23:5
network 143:14	numerous 84:12	occurred 8:6 9:5 41:22 149:24 160:1	options 75:23
new 6:23 124:22 128:10,19 148:20 149:1,5,7,8,15,22	nylon 24:14 25:15 27:6 29:15,15 30:8,9,14,16,17 32:1 35:18 40:21 51:18 52:12 59:15,18 59:22 60:6,8 73:10 74:15 76:23 91:17 96:5 112:11	o'clock 3:12	order 109:22 162:2
nine 99:20 117:3	o	office 55:23 58:11 83:5 87:15 132:24,25 133:18,24 134:6	orders 136:8
non 132:23 133:15,16,19,22,25 134:1	oath 4:15 5:8 163:10	offices 11:11 32:10 48:6 58:8,13 89:12 122:10 163:6	organization 148:15 149:1
normal 27:21	object 16:8 18:12,13 37:6 40:5 55:4 57:4 81:8 92:22 110:1 110:11 127:5 135:4 146:1 148:21 150:22 161:15	officials 34:19 84:25 85:20,24 86:7 86:8 130:5 142:25	organizing 153:20
north 70:9,11	objected 38:19	oh 93:23 119:11 127:7 130:16	original 132:24,25 154:8
northwest 31:23	objection 31:1 39:19 43:13 44:13 66:25 67:1,2 126:24,25 127:7	okay 6:9,13 7:14 8:21 9:14 14:1 15:11 21:12,15 22:2 23:17 23:25,25 25:10 26:21 27:3 30:19 31:3 33:11 37:23 41:7 43:4 45:13 46:21 52:7 52:20 54:11 62:22 63:22 66:13 70:2,6 71:2 76:9 87:6 91:5 98:3 100:11,14,22 103:6,14 104:5 105:14 113:1,1 115:22 118:23 122:2,2,12 128:17 129:21 131:3 132:20 133:12 134:15 136:16 137:3 138:15 140:17 141:13 142:4 145:3 154:17	originally 17:2
notarial 163:1	objections 2:10 61:17 62:1 126:22	old 6:22,24 91:21 98:24 124:23 128:10,19,25 149:12,12,13 149:25 156:5	originate 62:11
notary 3:14 4:6 163:5,21 164:11	obligated 157:23	older 98:23	originated 62:10 139:21 140:4
notation 126:25	obligation 150:23	once 8:6,25 9:14 16:4 17:13 26:5 118:1 144:10	originating 87:15 133:17,23 134:6
note 18:14 28:11 29:1,17 38:3 41:7 43:4 45:16 50:13 53:11 56:5 60:11 63:6 64:18 66:17 68:4 73:11 77:5 78:10,23 98:7 103:19 110:2,12 116:3 120:17 125:3 126:8 127:15 134:11 150:1,14	observation 68:18	ones 12:9 21:15,17 54:15 96:15 111:14 131:10 158:19	outdated 140:5
noted 42:2 74:19 93:18	obtain 31:11		outfit 124:23
notes 34:15 52:13 83:13 84:24 85:5,23 86:6 87:14	obtained 153:3		outline 86:23
notice 2:9 5:23 6:3,6 9:14 18:16 21:21 28:13 29:19 36:6 37:10 38:7,16 40:10,12 41:9 43:6,17,21 45:18 47:5 47:7 50:15 55:7 56:9 60:13 63:8 64:20 66:19 73:14 77:7 78:12,25 79:11 88:22	obvious 93:14,16		outside 29:2 81:21 82:4 89:19 155:3
			overall 26:19
			oversaw 122:9
			oversight 82:11
			owned 94:1 102:17 103:8 120:16 149:6,25
			owner 94:3 149:12
			owns 103:9

p	pc	performed	photographs
p.m. 88:16,19 162:21	3:21	41:3	72:11,14,23 145:4,5,19
page 2:2 6:11 24:10 33:19 34:1 49:5 70:24 72:10 76:18 86:24,24 87:9,11 89:1 95:5 108:20 133:6 136:11,13 137:25 138:1,9 142:4,19 147:1	pcb 17:3,6,24 21:2,9,24 26:5 28:10,22 30:22 31:13 35:24 36:21 41:5 42:8 45:3 46:2 49:17,20 50:3,6,12,17,17 50:25 51:18 62:21 76:12 80:21 81:10,12 85:12 97:24 98:14 99:4 101:4 106:2,8 107:19 108:7 117:23,24 119:2,4 128:24,24 134:17 134:17,21,22 135:24 136:1 147:23 154:14 155:12,17	period 27:4 28:17 36:1,18,20 58:21 104:1 107:5,14 114:17 130:9 143:11 145:13	phrased 77:11
pages 19:11 65:4,6 138:1	pcbs 7:8,11,12 8:2 9:8 15:19 18:8 26:5,11 27:7 29:14,22 30:6,8,12,15,15 31:5,9 32:18 34:4 35:18 36:7,7,11 38:2 42:4 44:17 47:21 49:16,20 50:7,9,10,20 51:6 51:17 52:11 53:16 62:18 71:3 73:18 74:12 76:22 77:13 78:18 80:20,25 81:1 81:4,14 83:22 84:11,20 105:24,24 106:2,5,12 112:8 117:3 120:15 134:18 135:3 136:3	permanent 28:2 35:10 119:8 131:4,21 132:19 133:3,7,24 134:9 136:6,18 137:7,11 139:8 142:9,15,22 143:1,8 145:9 145:15,24 146:10	physically 124:10
paper 25:8 129:24 152:6,11,12 153:11	pcs 29:22	permanently 87:18 119:16 132:25 133:20 136:15 142:11 145:20 153:8	pick 41:23 67:17
papers 116:13,15 146:22	pcxs 62:19	permit 27:19 136:19 137:15 145:6 145:8	piece 157:24
paper's 144:10	pea 40:4,7 93:24 94:25 95:1 98:20	permits 41:25 62:8 65:15 66:1 134:10 136:7 142:5	pipng 26:8
paragraph 25:23 33:18 34:1 49:4 62:5 64:2 88:25 89:4,10,18 108:10 110:10 116:25 134:4 144:9	pending 4:24	permitting 145:21 153:6	piqued 156:8
paragraphs 55:1,15	pensacola 8:25 9:9 12:14 19:21 20:21 22:25,25 24:14 25:15 26:11 27:6 29:16 30:21 31:6,10 32:1 35:18 36:11 40:21 45:9 51:18 52:11 54:25 55:23 60:17 61:3 69:24 70:2 73:10 76:22 77:4 81:5 81:16 83:7,18 91:10,17 96:5 97:2 112:11 114:10,17 114:25 120:8,11,15 131:25 150:8,13 158:14 161:1	person 22:13 98:12 121:18,23 122:9,15,18 125:23 126:1,5 127:23 144:5 153:21,22 159:22 160:2 161:11	piques 122:5
paralegal 10:2 13:15	people 59:13 84:24 125:20,21 127:18,21,22 151:23 159:5 159:12,16 160:10	personal 11:10 158:20 159:10,17 160:11,14	place 16:2 77:24 83:5,15 107:5 107:13 128:2
paraphrasing 35:1	peoples 159:10 160:14	personally 57:14	placed 53:25 54:3 114:11
pardon 12:25 122:2,5		personnel 13:4,6 22:10 57:18 158:13	places 13:7 20:16 91:10
part 30:10,15 70:19 76:6 79:8 100:13,16 110:2 120:9 132:12 133:2 136:24 148:25 161:18		persons 11:7 128:13	plaint 12:11
participants 155:6		pertain 19:17 136:7 142:5	plaintiffs 1:3,12 2:8 3:3,12,20 4:2,14 5:4 24:6 37:19 49:5
participate 128:20		pertained 84:4 145:14	plaintiff's 5:19 6:1 33:19 61:14,16,17 61:24 88:21 105:8
particular 21:5 24:20 44:25 69:15 70:21 74:9 75:6 90:11 99:23 113:18 117:5 134:22 137:10,20 140:1,19 148:12		pertaining 76:12,21 80:7 144:18 147:20	plans 139:14,25
particularity 38:6 43:21 110:15		petitions 136:8	plant 8:25 9:9 11:5,5 12:10,14,15 12:17,19 13:3,4,7 19:21,24 19:25 20:1,16 22:6,9,24,25 24:15 25:15,18,22 26:1,10 26:11 27:6,10,12 28:9,10 28:10,23,23 29:16 30:13,21 31:6,10 32:1,7,22 33:1,16 33:20,21 34:10,11 35:19 36:4,8 37:3,17 38:2 40:21 40:24 41:5,21 42:6,8,12,18 42:21,22,23 43:1 44:2,18 45:10,14,24 47:16,25 48:5 48:13,21 49:11,17,22 50:3 50:9,11,12,19 51:17,18,25 52:12 54:24 55:10,12,16,22 57:2 59:14 60:17 61:1,3 62:18 71:5,18,24 72:1,12 72:13,15,16,20 73:6,10,16 73:17,20 74:4,6,9,14,16 76:1,16,23 77:4,4,13 78:19 79:22 80:10,20,23 81:5 82:2,17 83:6 84:1,2,20
particularly 9:12 77:10 152:23		pharmacia 95:24 97:19 99:16 100:25 101:17 102:12,12 104:5,22 107:21 108:13 109:9 111:17 116:9 118:5 123:2 123:22 124:22 127:25 128:11,19,20 148:15,19 149:5,6,11,14	
parties 55:8 163:11,14,15			
party 93:20			
passed 152:3			

[plant - provision]

plant (cont.) 89:14,16,20 90:3 91:9,17 91:20 96:5 97:2 102:17 103:1,3,3,7,23 110:22 112:1,11,13 113:22,23 114:3,10,13,17,25 115:11 117:5,14,20 120:8,15,16,25 120:25 121:6 128:1,2 131:23,24,25 132:6,6,8 136:2 137:14,16 139:5 140:9,19 146:8 147:21,24 148:3,4,5,9,12 150:8,10,11 151:13,17,18 152:19 154:6 154:7,20 158:14,23,23 159:7 161:1	possible 27:15 56:13 77:15 79:21 86:1 100:8 possibly 31:7 32:22 34:9,11 48:22 78:19 115:12 129:8 134:13 post 37:21 potential 6:17 power 103:5 practice 16:4,9,20 17:13 pre 59:17 prefix 107:19 prefixed 14:16,17,18,19 23:14 preparation 9:15 24:23 33:7 34:5,18,23 34:25 54:22 57:11 84:5 128:11 142:25 prepared 24:24 33:6 35:17 40:20 55:13 141:1 preparing 97:12 presence 71:3 120:15 150:9 present 3:24 12:7 35:23 151:3 presentations 33:6 34:3 52:14 presented 113:7 presenting 45:7 presently 106:25 preserve 127:13 press 76:10,20 77:1,11,17,22 78:1,4,13 79:18 presumably 17:17 56:24 64:23 65:8,9 73:5 122:21 presume 123:15 153:13 presuming 131:25 presumption 120:9	pretty 11:14 83:4 previous 98:18,20,22 133:9,12 143:7 previously 34:23 57:9 78:9 89:7 113:5 149:25 primarily 7:16 printed 143:12 prior 13:12,13 27:16 60:1 84:6 114:12 157:9 privilege 56:12 93:1 privileged 56:15 102:2 probably 6:4 11:15 13:6 15:13 25:18 32:9,11 33:12 47:16 66:20 89:11,16,17 96:18 114:7 117:14,14 119:18 151:14 152:2,9,11,18 153:3 155:9 problem 31:4 84:20,21 116:21 117:11 120:7 137:24 138:6 problems 12:21,22 120:13 128:2 procedure 82:3 141:2 proceed 13:21 43:24 process 10:23,25 18:3 25:14 29:23 30:7,16 38:17,21 39:10 56:7,7 59:18,22,25 60:15 67:9 74:7 75:11 96:3 113:12,13 124:19,24 138:24 158:25 processes 74:8 138:25 139:19 produce 39:5 60:9 102:3 108:7,14 123:23 produced 3:11 4:13 9:20,22 14:16 16:2 18:6,25 20:18 21:16 21:24 22:5,6 23:23 30:10 30:16 36:24 37:1,13,16,22 37:25 39:17,20,22,22 47:19 47:23 48:11 52:25 54:21 55:18 92:3 97:14,16,18,19 111:16 148:18 producing 30:14	product 30:6,10,20 31:10 74:5,10 138:12,23 production 9:19 18:7 20:7,9 21:5 22:11 29:15 36:23 37:8,18 38:5 38:16 39:10 48:2 55:17 56:7,7,8,21 59:15,25 60:14 61:18 62:2 64:10 66:8 68:14 74:15 81:15,16 92:15 95:20 108:5,6,8 111:8 116:4 124:15 128:23 129:9 productions 40:11 products 29:15 49:17 51:18 professional 4:5 project 82:5,13 83:3,4,15 85:11 137:20 138:6,11,13 139:3 139:12,14 140:1,25 141:1,3 141:7,20 projects 140:24 pronounce 10:15,17 pronouncement 77:2 pronouncements 76:11 properly 50:21,23 properties 105:24,25 106:2 property 75:7 97:6 propounded 99:15 124:15 protection 31:21,22 62:14 provide 56:2 73:9 118:5 125:1 141:24 147:5 provided 14:2,5 24:8 37:4 48:23 55:24 56:16,20 60:18 62:2 63:5 65:5 66:16 67:24 68:2 68:10,14,22 69:18,21 80:12 81:7 89:13 94:14 99:8,10 104:13 106:22 107:17 112:12 113:3,7 114:5 116:1 116:7,8,10 117:13 126:2 148:14 154:16 155:14 provision 132:9
--	--	--	---

public 3:15 4:6 62:12 76:11,20 77:2,12,17 78:1,4 163:5,21 164:11	quintard 3:21	record (cont.) 29:17 38:3 41:8 43:4,10 45:17 47:9,11 50:14 53:11 56:5 60:11 61:8,10,12 63:6 64:18 66:17 68:5,16,19 73:11 77:5 78:11,23 85:16 88:15,17,19 94:15 98:8 103:20 110:12 116:4 120:17 125:3 126:8,20 127:1,6,13,15 130:19 131:4 132:17,22 134:5,11,20 141:17 144:21 145:13,14 145:15 150:1,14 162:21 163:12	regard (cont.) 148:9
publicity 77:8 78:13	quit 38:13 66:25		regarding 17:6 25:11 26:3 27:4 28:16 32:18 34:4 52:11 89:3 93:13 96:1 112:8 117:3
purchase 59:14,15	quite 32:22 34:9,11 69:7 78:19 98:23		registered 4:4
purchased 12:1 60:6 158:23	r		registrations 142:6
purchaser 142:12 158:23	raised 38:23		registry 62:15
purport 62:10,11	ran 104:19		regular 113:3,12,12
purpose 72:5,6,24 127:3	randomly 14:9		regularly 113:7
purposes 117:17	raw 29:23 30:8,17	recorded 120:4 137:6 142:23	regulation 31:20 134:4,7,8,17 136:4,5
put 16:1 48:7 101:8 116:14 151:4,5	rcra 23:21 27:19 54:4 74:24 75:10,17,17,19 83:24 91:11 114:5 135:10 146:9	records 7:5 8:2,5,8,25 9:7,7,9,10,19 9:20,21 11:9,11,12,17,18 11:20,20,22,23,24,24 23:10 24:13 35:3 44:7 45:24 47:15 49:10,10,21 55:1 58:25 59:1 86:16,17 108:13 117:4 119:4 125:9 127:23 127:25 128:5,6 132:13,23 133:17,23 134:22 136:1 143:24 152:14	regulations 44:20 49:21,23 50:18 135:7 135:9,23
putting 16:10 116:13	reaches 48:14,14		regulators 137:5
q	reactors 138:25	record's 87:17	regulatory 7:17 23:19 31:18 32:9,16 33:9 34:7,19 78:3 87:16 108:23 110:20 112:9 117:2 132:18 136:19 153:7
question 16:9 18:14,18,20 26:22 28:12 29:1,18 30:25 37:7 38:4 39:6,8,19 41:1,8 43:5 44:6 45:5,17,20,22 46:18 46:21 48:7 49:8 50:14 52:19 53:12 54:3 55:4,5 56:6 57:5 59:9 60:12 63:7 63:20 64:15,19 65:22 66:7 66:15,18,21 67:14,14 69:15 73:11 74:1,2 77:6 78:11,15 78:24 80:22,24 81:9 90:8 92:4,12,23 95:7,15 98:8 109:25 110:2 120:18,24 125:4,16 126:9,20 127:4 133:10,12 135:5 138:3 146:2,5 148:22 150:2,15,20 151:2 155:11 158:2 161:16 161:20	read 4:8 62:6 68:6 70:25 71:2 120:20,23 133:4,13,21 134:3 139:9 142:10 144:25 164:1	reduced 163:10	relate 17:5 35:18 40:19,21 41:14 44:3 51:22 96:13
questioning 31:2 51:3 79:11 144:11	reading 133:10 137:12 138:9	refer 27:7 66:15 69:19 77:24 86:9 141:5 154:2	related 7:16 14:25 15:17 17:3 18:5 18:7 23:18 35:16 36:20,25 37:5,14,18 38:1,11 39:13 41:24 42:19 45:24 46:2 51:17 53:4,7,19,22 54:14 56:2 64:15 74:4,5,7 78:15 80:17 81:20 82:20 83:22 84:12 89:9 98:14 114:9,16 114:18 115:8 116:25 118:9 121:12 139:20 145:23 148:17 150:8 158:24 159:6 160:12,25 163:14
questions 5:12 10:4 24:19,24 25:3 38:10,13,16,18 43:19 52:6 62:6 66:22 68:13 69:11,12 71:1 79:24,25 90:23 93:21 108:5,19 116:4 121:23 150:20 151:7	really 22:1 45:7 56:24 90:7 92:20 93:14 94:22 106:19 107:9 107:20 140:1 154:7,12	reference 36:13,16 80:19 105:19 119:2	relates 36:7 117:4 118:11
quick 36:23	reason 13:6 55:5 106:11 138:14 146:4	references 80:12 114:14	relating 26:11
quickly 58:22	reasonable 38:5,6 43:20 110:15	referencing 25:24 27:11 32:1	relative 163:15
	reasonably 69:1 127:2	referred 15:3 49:4 52:9 55:1,14 63:1 66:6 71:6,11 80:10 97:23 106:10 111:19 145:19 150:12,19	release 35:23 36:7 37:3,14 38:1 39:16 42:20,22 43:2 44:19 44:20 45:9,12,13,24 46:2 48:13 76:22 77:2,13,24 78:3 140:20
	reasons 156:25	referring 25:2 42:10 51:19 83:13 86:12 141:21	
	recall 53:24 54:15 80:25 81:13 84:10,16 85:5 86:24 102:22 104:7 106:19	refers 62:21 98:10 141:19 154:1	
	received 2:23 18:2	regard 10:4 15:18 47:12 52:19 80:25 81:1,10,11 83:16 90:1 108:15 120:10,24 123:1,10 133:12,13 138:3	
	reciting 89:11		
	recollection 84:8,18		
	record 4:18 5:14 18:14 28:11 29:1		

[releases - sampling]

releases 37:13,21 38:12 41:5 42:4 42:12 44:3,7 76:10,20 77:12,16,17,22 78:1,4,13	reports (cont.) 139:18,20 140:16 147:15 152:24,25 153:1	response (cont.) 97:14,20 108:8	reviewing 152:10
relevant 87:13 95:7 154:19	repositories 11:13	responses 2:10 61:17 62:1 68:25	revised 86:18,20
relief 39:9	represent 5:6	responsibilities 149:23	right 7:23 12:12 13:14 16:18 21:3 24:10 25:4 39:21 54:7 61:3,7 64:16 83:19 87:10 88:14 93:9 109:23 111:14 116:19 121:7 122:20 123:11,24 129:19,25 135:14 137:17 138:3 143:5 148:16 162:18
relying 68:12 69:4,5,7,14,17	representative 47:9 48:19 52:2 90:22 92:6 93:3,4 100:2 109:4 110:8 111:7 158:3 161:25	responsibility 91:24 92:9,12 93:19 107:24 111:5 124:25 136:25 143:10 152:2	river 32:2 35:19 40:22 42:4 48:14,15 71:4,9 76:2,16 118:12
remain 100:25	representatives 125:24	responsible 153:19	road 43:25 91:21
remained 12:11	represented 3:20,22 105:2,4	responsive 23:22 33:13,17 49:8 56:21 69:21 108:10,16 111:9 156:22,24 160:17 161:5,11 161:24	robert 1:12 2:2 3:11 4:3,12,19 5:15 13:23 163:7 164:1,7
remediated 53:10,15,23	representing 5:4 17:18 105:6 128:13 154:25 157:6	rest 116:16,19	role 90:21,23 161:25
remediating 54:17	request 9:18,23 16:3 20:7 21:5 22:7 33:13 37:19 39:23 55:17 61:18 62:2 64:10 65:14,18 65:20 66:14 68:14 69:21 73:9 94:18 95:20 97:15,20 97:20 99:14 161:5	result 60:24 103:15,17	room 67:3
remediation 53:8 75:22,23,24 117:21 121:8 139:4 140:19 159:6 159:14,16 160:3	requested 21:21 65:24	results 152:21	routine 133:18
remember 8:17 57:20,21 80:21 84:15 84:15	requests 15:23,23 18:6 20:9 56:22 108:8	retained 119:16 131:1 132:4,24 133:20 143:25 144:15,18	routinely 143:16
remote 29:11	require 108:6 134:8	retention 21:20 24:14,22 25:5,8 27:13,21,22 28:2 34:21,22 35:10 36:3 49:24 86:5,16 86:17 118:24 119:5 129:19 129:22,23 130:9,20 131:7 131:17 132:10,11 134:6 138:18 141:2,22 142:17,18 143:11 144:22 145:13 146:19	rpr 1:19 164:23
removal 80:19 85:12	required 44:20 55:3 92:19 133:1 134:17 139:15	retentive 119:17	rule 43:25
remove 80:8 81:4,21 82:4	requirement 50:25 55:8 85:15,21 139:7 139:8	retired 57:25 102:14	rules 43:16
repeat 45:22 127:4	requirements 28:3 55:6 135:6	retrieve 129:18	runs 150:24
repeated 74:2	requires 87:13	returned 2:24	s
rephrase 51:5	respectfully 28:14 38:8	review 22:10,12 24:6,7,22 25:7 36:6,23 47:14 48:4 49:6 52:25 53:21 54:2 78:6 92:2 101:23 102:1,3 110:4 119:7 130:22 131:22 147:22 162:18	safety 11:23 14:25 15:17 17:5 18:8 19:18 21:22 26:17 62:16 108:18 112:18 130:2 147:6,6
report 35:9 42:15 44:4,5,14,15,21 65:11,12 75:17 76:5 114:4 134:17 135:3,18,21,22 139:24	respond 79:8,15,17,19,25 98:2 107:24 109:25 129:8	reviewed 9:18 23:22 47:22 49:7 55:17,24 56:11 101:25 144:25 157:5	sale 9:3,5 10:24 11:14 13:10,12 59:12 60:24 100:5,7 105:24 107:2,6,7 118:20 125:17 131:24 132:6,8,12 136:21 156:20 157:9 159:24
reported 135:9,11	responded 62:23		sales 20:7,8 106:2
reporter 2:23 3:14 4:5,5,6,15 5:7 23:20 61:2 76:14 163:4 164:23	responding 4:14 80:2		samantha 156:5
reporting 1:25 2:25 44:20 62:8 164:24	response 9:23 15:23 18:6 20:6 21:5 22:7 33:7 34:5 55:17,18 62:7,24 66:14 68:1,12,21 69:14 76:18 78:21 95:20		sampling 19:20,20 71:12,23 121:3

[saw - solutia]

saw 36:22 53:1,6,21 54:13 63:21 77:22 78:2,3 80:24 83:8,10 85:1,2,4 111:8,8,15 143:4	separate 59:14 60:6 149:3,4,7,8,9,14 149:17,19	shortly 48:14	site (cont.) 162:11
saying 17:1 18:20 19:2 33:15 39:14 45:13 47:2,4 68:23 89:21 114:15 119:11 124:12 129:13 132:5 161:3 161:22	separated 11:21	show 75:2,3,5,8	sites 42:7 131:21 157:17
says 4:16 35:6 62:19 63:2 68:2 74:12 87:11,19 93:15 109:19 111:12 133:16 139:17,21 140:25 141:2 143:3,9,10,19 144:9 145:10 145:12 146:22	separation 11:17,19 150:4	showing 72:15	sitting 156:4,25
schedule 113:13	september 7:22,24 107:7	shown 106:18	situation 45:1 79:5,15
scope 29:3 32:1	sequence 38:17	sign 162:19	situations 96:13
seal 163:17	serve 7:10 94:5,7	signal 67:2	six 11:15 33:18 72:9,10 76:18 99:19 104:4 107:14,16 108:20,20 111:19
search 16:1 20:16 78:14 154:20	served 28:21 94:17	signature 2:25 162:23 163:11 164:3	sized 82:5 83:4 85:11
searched 22:9	server 143:14	signed 4:8	sludge 42:11,13 44:8 51:7
second 2:9 5:23 88:21 150:6	set 14:16,17,17,18,19,20 15:8 15:11,17 17:23,24 18:1,5,5 18:5,9,25 19:4,12,15,19 20:5,18,19,25 21:9,11,12 21:24,24 22:2 23:12 26:16 26:20,25 39:5 42:8 43:1 63:1,10 65:5,6 66:15 81:15 81:16,18,23 96:22,22 110:14 115:21,21 124:9,9 128:23,23,24 147:8 151:15 151:16,16 154:8,22,24 163:17	significant 86:21	soil 19:20
secondly 52:24	sets 9:19 10:5 14:7,10,12,15 37:22 43:16 63:5 67:23 69:19 80:15,16 96:23 97:1 98:2 111:8	similar 15:23 25:13,18 87:24 88:2 96:3 123:23 141:7 158:18	sold 8:25 112:13 113:21,23 114:12 117:5 118:1 128:6 132:1 137:17
section 119:5,6 146:21 160:3	settlement 51:9	simple 96:19	solid 74:22,25 75:4,12,20 76:5 146:8
sediments 53:17	seven 11:15 33:18 76:19 99:19	sincerely 100:1	solutia 6:14,25 7:2,20,22,24 8:4,5 8:7,9,19 9:1,11,16,24 10:7 10:21 11:8 12:1 13:1,2,10 13:18,22 16:4 17:14,17,18 22:8,15,21,24 24:12,14,22 24:22,25 28:8,19 30:2,5 31:14 34:14 35:17,17 37:24 38:5 40:20,20 43:18 46:8 46:16 47:9 48:6 49:14 52:2 57:2,8,18 58:22 59:1,4,10 59:22 60:2 66:13 68:12,21 69:14,25 70:7,16 71:14 72:20 77:1,4,23 78:17,22 78:22 79:9,14 82:6,7,9,11 82:12 83:6,14 84:4 85:8,17 86:12,15,17 87:23 88:3 89:12 90:22 92:7,19 93:4 93:19,21,25 95:6,22,24 96:6,18,19 97:6,9,10,17,19 98:5,11,13 99:1,4,9,16,24 100:1,5,19,20,21 102:24 103:2,9,24,25 104:6,6,23 105:5 106:23 107:1,3,5,21 107:22,23 108:7,12 109:4,6 109:10,15,17,24 110:7,8 111:7,16,23 112:13,20,20 112:24 113:1,15,17,19,25 115:12,22,23 116:1,8,10
seeing 80:25 81:13 85:5	sewers 25:12 96:2	single 46:2 95:8,13 96:8	
seeking 137:15	shared 159:2	sir 85:3 86:2 92:4 102:6 111:10 119:23 120:22 157:12	
seen 5:25 8:11 46:3 47:1,11 49:6 52:18,19 90:15,16 91:7,9 112:5 123:18 156:5	sheet 147:6	sit 14:13 37:23 46:9 48:4,18 52:1 54:12 65:13 76:25 87:25 91:6 109:3,13 112:4 123:19 139:6 140:1 142:17 147:3 161:13 162:1	
selected 14:8,9 18:2,10 24:7 121:21 128:24 155:25	sheets 7:17 147:6	site 27:12 28:10 29:12,13 34:10 34:11 36:8 37:3 38:2 41:6 42:9,12,18,21,22,23 43:1 44:3,18 45:5,6,14 49:17 50:12,20,24 51:1,8,17 53:8 53:23,25 54:4,9,24 55:22 57:2 58:19,23 71:5,24 72:20 73:6,16,17,20 74:4,6 74:16 76:1 78:19 79:23 80:20 81:5 84:20 89:14,16 120:15,25 121:6 131:23,24 132:6,6,8 134:21 135:17,17 135:19,20,21 136:2 137:14 137:16 139:13 140:19 146:8 150:8,10,11,11,13,21 150:21 151:12 152:5,15,19 152:21 153:2,17 157:8,16 157:17,18 160:21,23,24	
selection 19:1	shelf 18:4		
self 102:14,16	short 30:12 31:8 58:21 61:6		
send 157:18	shorten 127:8,8		
sent 11:21 62:11,12 64:4,5 156:10,19 159:11	shorthand 4:4,6		

[solutia - suite]

solutia (cont.)	specific (cont.)	stages	stewart (cont.)
118:4,17 119:6,19 120:16	106:9 110:13,14,17 132:9	11:15	138:5 141:16,24 146:4
122:4,5,7,10,19 123:7,9	134:15 135:25 138:23	stamp	148:25 150:6,17,25 151:4
124:4,7,10,21,25 125:10,16	150:20 154:10 159:22	107:19	151:10,12 153:15,16
125:22,22,25 126:3,7	specifically	stamps	161:17,21
127:24,24 129:1,6,6,20	8:15 17:11 21:18 24:2 39:3	14:15	stipulated
131:5 132:3 141:12,13	39:11 46:6 49:8 50:2,4	standard	4:1
142:11 143:18 144:3,15	52:18 53:3 54:5 55:19	82:3	stoklosa
148:16,19 149:8,17 150:16	56:17 57:6,20,21 60:14	stands	10:8,10,18,19 125:10,25
150:24 151:1,5,11 152:5,15	64:25 71:11,25 78:4 80:13	20:11,12 66:14	158:16 159:21
152:17 153:19 154:24	80:14,21 81:10,12,14 90:20	start	stokolosa
155:1,4,9 156:19,22,25	91:8 92:8,10 109:12,20	15:6 24:11 38:14 40:2,2	10:15
157:3,3,4,9,16,19,21 158:1	115:23 122:22 124:15	151:6	stop
158:3,6,12,13,19,22 159:15	131:15 143:9 148:6 151:22	started	88:14
159:20 160:18,23 161:6,23	154:2 156:18	86:14 114:24 121:8 139:12	storage
161:24,25	specifications	starting	42:8 50:9 140:9 143:14
solutia's	80:6	161:16	157:8 160:21,23,24 162:11
8:25 13:12 57:22 58:8	specifics	state	stored
108:4 128:6 141:15 152:20	9:18 10:3 28:1,4 35:5,13	3:15 4:25 5:1,13 12:5 33:8	134:25,25 135:12 143:8
160:25	45:6 46:9 69:9 76:4 79:2,4	34:6,18 42:2 62:17 68:24	151:25
solved	138:17	86:8 108:25 117:1 132:18	storing
116:20	specified	163:2,5	152:2
solving	27:14 40:12 134:4,6,21	stated	storm
138:6	135:24 136:5	103:20 156:21	25:13 96:3
somebody	specify	statement	strictly
30:7 56:1 57:20 69:6 82:12	135:23	27:23	17:21
119:21 122:23 145:17	speculate	states	structural
152:10,10 158:5	29:9	31:21 111:23,24,24 112:3	148:23
sorry	speculating	stations	structure
20:19,23 23:23 36:13 65:21	21:19 29:8	26:8	148:18
74:1 86:3 115:14 116:14	spill	stayed	study
127:4 132:20 133:9 141:13	36:6,25 37:5 41:2 53:5	11:5 60:23 158:22	80:8 81:4,21
147:1	54:16	steward	stuff
sort	spills	7:11 28:22 31:14	74:19 84:9 87:17 139:4
54:4 90:9	41:12,14,22	stewart	145:21
sounds	spin	2:3,24 3:20,21,21 5:3,3,12	subject
139:25	8:4,6 58:22 59:12 60:1,5	5:20,22 6:2 16:10 18:17,21	56:3 77:18 102:17 117:24
southern	102:24	19:2,5,8,10,14,17 23:25	135:8 136:3
101:15	spoke	28:14,21,25 29:4,6,22 31:1	subjects
speak	10:2,6 151:3	31:4,11 37:11 38:8,21	82:2
35:4 44:24 55:10,19 79:14	spot	39:21 40:1,8,15,17 41:13	subscribed
119:22,24 130:10	54:21 78:8	41:17 43:7,11,24 44:9,12	164:9
speaking	spotty	44:15 45:23 46:20,23 47:8	subset
9:12 13:22 17:1 23:8 43:18	52:24,24	47:22 50:16 51:4,6 53:14	19:15,16
46:15,17 66:25 69:25	spun	55:11 56:15 57:7 60:16	substance
126:21,24 161:23	7:3 8:19 16:6 17:14 88:3	61:5,13,25 63:9 64:21	140:20
specif	98:25 103:24,24 128:3	66:24 67:8,15 68:6,9,20	substances
10:3	st	69:3,13,16 73:15 76:15	26:5 62:14 76:1 80:9,22
specific	3:14,23 10:1 11:9 12:8,14	77:15 78:16 79:3,13,16	82:5 150:9
9:23 12:15 17:10 27:16	12:17 13:6,8 32:10,24 33:2	81:12 88:10,13,20 92:25	sudden
37:18 39:8 41:19,21 44:24	33:24 49:24 55:23 58:9	93:2,10,12,23 94:4,8,13,21	135:16
45:4 46:13 47:11 48:19	61:1,4 70:2,5,8,13 82:18	94:24 95:3,4 98:11 103:22	suit
49:25 51:20 53:23 54:2	83:5,15 89:12 99:7 102:18	103:23 110:6,17 116:12,14	91:18 104:5,6 105:14
55:19 62:18 64:22 74:4,7,8	102:18,25 103:8,24 122:10	116:16 120:22 125:7	suite
78:14 79:24 80:1,25 83:9	151:20,21,23 152:3 163:3,6	126:11,18,21 127:5,10,17	3:14,21,23 163:6
83:20 84:8,18 86:25 89:24		127:20 134:24 135:14	

[sumps - today]

sumps 26:6	talked 13:14,15,17 54:17 96:16	tense 151:3	think (cont.) 87:5,11 88:2,2 96:12
supplement 20:15	121:24 122:2,4 125:8,11,20	term 18:4 28:2	108:16 117:18 126:11,15
supplemental 2:10 62:1,7,24 76:18	125:24 126:2 127:21	terminated 131:8	127:1,17 128:10 130:16,24
supplemented 20:14	128:11,13 130:4,20 134:16	termination 132:5 138:8	131:1 139:8,24 140:6
supporting 132:17,23 133:2,17,23 134:5 136:9 142:7	talking 9:8 11:10 16:16 20:20,22 25:22 26:16,19,23,24 28:15 31:25 36:13 37:2,3 45:25 54:8 64:1 68:9 69:3,10 91:16 93:12 97:4 111:10 115:25 116:2 122:12 127:22 128:15 132:1 135:24 140:11,11,17,22 141:8,12 143:24 148:23 150:25 151:1,10,11 152:20 152:24 162:5	terms 8:10 54:6 100:7 102:1 109:12	thinking 107:8
suppose 42:24 88:6 105:16	talks 52:9 66:1 76:10,19 91:1 141:1 147:15	test 41:2 137:13 152:21	third 55:8 93:20
supposed 43:1 50:12 87:17 93:17 94:8 111:24 158:4	tapes 143:18,20,22 153:16	testified 101:3,11,12,14	thorough 15:25 16:24
sure 13:11 14:18 15:12 22:20,23 27:14 30:11 33:3,16 35:12 42:10 62:3 63:24 82:13,25 86:12,20 90:11 101:2 102:15 106:15 115:10 116:20 120:20,23 128:9,22 131:2 132:12 133:10 136:12 139:6,22 141:18,23 152:12	task 84:11,16	testify 6:10 13:23 23:9 24:12 31:16 35:21 43:22 56:4 101:19 109:19 163:8	thoroughly 148:8
surface 25:14	technical 106:1 139:2,18,19,24 140:6 140:15	testimony 9:16 13:18 18:15 28:12 29:18 30:1,3 37:9 41:8 43:5 45:17 48:17 50:14 53:12 54:22 55:2 60:12 63:7 64:19 66:18 68:7 71:13 73:12 77:6 78:11,24 81:5 89:6 92:19 98:8,18,20,23 106:14,16,21 110:2 120:18 125:4 126:9 128:12 134:12 150:2,15 159:15 163:12 164:4	thought 26:21 46:25 98:18,19 144:23,25 146:25 162:4
surprised 114:23 123:4	technicality 108:17	testifying 104:22 106:4,7	thoughts 67:7
surround 71:9	technician 3:24 4:18 5:7 61:8,11 88:15 88:18 116:12 162:20	tests 150:9	thousands 65:5
surrounding 71:5	technology 130:25 143:16	textiles 9:11 11:25 158:25 160:13	threat 76:13,15 77:2,10
surveys 133:5	tell 7:15 10:25 11:20 14:12 19:6 21:15,16 28:6 32:3 35:21 55:13,21 68:15 88:5 89:7,25 91:25 97:22 104:10 108:3 118:23 121:19 123:19 131:19 156:11 161:21 162:14	testing 35:17 39:14 40:20 44:22 46:4,7,10 47:6,15,17 52:15 71:8,17,20,23 118:9,11 121:4,6 142:7,8	three 33:19 50:1,2 61:21,22 63:5 95:5,23 99:15,19 108:16,21 124:16,17 134:20,23 146:13 149:19
sweep 16:20 113:10 159:9	telling 32:21 38:9 40:1 50:11 95:6 95:25 109:3 112:10 114:8 114:22 116:23	thank 137:22	throw 69:6
switched 97:7	tells 145:17 158:5 161:4	thing 45:25 88:12 94:16 118:11 137:23 141:14	thrown 90:9
sworn 3:12 4:13 5:9 163:8	temporary 76:21	things 6:21 40:3 41:25 42:3 43:16 43:17 63:25 83:14 112:17 115:16 131:6 134:10 142:20 162:9	time 4:20 5:9 7:19,21 16:11,13 16:21 17:9 22:15 27:4,20 28:17 30:12 31:8 33:25 36:1,20,25 38:1 53:20 54:19 58:20 70:16 84:6,25 88:11 90:22 97:10 102:4,5 102:14,20,21,23,24 104:1 104:20 105:3,10 107:9 112:12,24 113:14,14,18 114:12,14,17,18,22,23 115:9 117:24 118:18,20 121:9 125:17 128:1 130:9 131:7,7 134:6 136:21 137:6 139:15 141:3 144:14 146:19 147:3 157:9 161:19
system 129:17	ten 3:12 99:20 120:13 138:8 139:7 141:3	think 10:10,13 15:12 20:12 22:22 24:4 27:14 28:2,21 29:10 44:13,25 65:17 66:20 85:21	times 20:14 52:24 138:18
systems 31:7,8	tenant 160:21		today 6:7 9:16 13:18,23 14:13 23:10 24:12 27:23 30:1 34:23 37:24 40:4 46:9 47:9
t			
taken 1:12 4:4 21:7,8,9 83:5,15 145:5,6 163:14 164:2,24			
talk 12:12 25:16 54:24 55:11 57:7,12,14,16 89:22 96:17 99:21 116:21 121:25 122:6 124:6 125:13 139:9 151:5,5 162:13			

[today - warehouse]

today (cont.) 48:4,17,18 52:1 54:22 56:4 57:12 65:13 71:13 76:25 81:6 88:25 89:2,16 91:6,16 94:12 96:7 97:8 99:6 103:9 103:9 106:21,25 108:12 109:3 112:4 115:24 128:12 130:25 133:4 140:2 147:4 154:9 156:8 159:15 161:14 162:1	transformers 26:7 transmission 52:13 transmitted 160:14 transportation 62:15 traveled 93:4 trick 145:22 tried 105:16 true 15:11 32:17 33:25 48:8,12 48:16 107:2 142:1 145:11 163:12 164:4 truth 163:8,9 try 65:8 104:20 trying 39:23 40:3 43:7,22 44:9 47:2 68:11 69:4 98:20 104:21 115:15 117:25 131:3 138:22 139:1 151:9 157:14 161:10 tsca 135:6,8,23,25 turned 70:6 109:10 143:20 type 11:20,22 15:24 34:2,16 74:18 83:9 87:16 139:4 145:21 types 32:5 53:1 64:7 65:3 91:11 typewriting 4:7 typically 12:9 typo 62:20	understand (cont.) 129:25 131:16 139:22 146:7 157:14 159:14 161:9 161:17,22 understanding 9:5 13:21 14:4,14 16:12,18 20:4 22:13,18 31:5,9 33:22 34:8 35:2,11 37:12,15,16 37:23 43:8,25 48:3 54:20 55:16 56:11 59:11 60:19,22 66:13 72:21 76:25 89:6 92:17 95:23 97:18 98:22 99:14 106:24 107:15,22 108:2 109:11,14,15 113:16 115:20 116:6,9 121:21 123:20,21 124:1,14,18 130:1 132:7 136:23 137:1,8 137:18 138:19 143:6 144:13,17,24 145:7 149:21 152:23 154:11 158:15 159:19 understood 35:10 92:12 98:13 undertaken 13:5 undertook 159:22 unit 74:25 75:12,14 76:5 united 31:21 111:23 112:3 units 75:4,21 146:9 updated 154:9 urs 23:14,17,22 25:19 27:18 32:12 33:12,24 34:9,12 37:17 47:16,16 63:3 65:6 66:9 70:3,4 71:6,19,19 72:3 72:4 80:16 81:15,23 89:17 90:3,6 91:13 93:15 95:16 97:3,3 115:11,21 141:21 142:8 147:15 148:8 150:12 151:14,15 152:7 153:2 use 18:4 26:3 27:4 28:17 31:5 73:18 74:4,9 80:7,17 130:7 130:23 141:14 user's 143:10,13 uses 31:9 141:17 usr 66:8	v variances 136:8 variety 64:7 various 8:11 10:5 11:15 14:7,15 15:23,24 52:23 75:3,20 82:2 158:11 vendors 81:21 verse 25:2 versus 4:22 101:17 vicinity 148:4 video 1:12 3:11,24 4:18 5:7 61:8 61:11 88:15,18,22 116:12 162:20 videotaped 4:19 videotapes 145:4,5 violations 42:2 vs 1:5 3:5 164:18 w wait 45:16,19 50:13 78:10,10,10 waited 94:6 waiting 50:9,10 waived 2:25 162:23 163:11 waivers 136:8 want 13:20 23:14,24 24:11 26:22 33:15 52:5 61:6,14,15 67:1 67:2,2 68:16 69:13 71:1 88:7,8,13,14 109:19 116:19 117:16 119:17 120:20,23 120:23 121:16 127:8,8,10 128:8 133:10 141:16 144:7 144:12 146:20 156:14 158:1 160:16 161:17 162:18 wanted 5:18 123:7 warehouse 70:14,17,20 99:7
today's 4:20 told 81:2 92:16,20 95:17 98:24 112:16 113:5 125:14 146:5 155:17 156:23 159:12 top 136:13 138:9 topic 30:24 98:5 110:12 topics 89:3 96:10,12 97:22 99:23 topography 25:11 90:1 91:8,12 93:13 95:8 96:1 108:11 total 98:3 totally 106:3 149:4,7,16 touching 163:9 toxic 62:14 80:9,22 81:21 82:5 140:20 transcribed 4:7 transcript 4:8 164:2,4 transfer 11:18 13:13 26:8 31:7 104:1 107:4,12 122:10 125:15 132:13 136:24 137:1 159:24 transferred 9:25 10:1,24 11:14 12:1,11 22:8 28:9 29:13 32:11 49:15 100:6 102:24 103:2 103:12 112:1 142:12 158:17 160:6 transferring 11:3 transfers 160:1 transformer 103:16 106:5,9,12,15	transformers 26:7 transmission 52:13 transmitted 160:14 transportation 62:15 traveled 93:4 trick 145:22 tried 105:16 true 15:11 32:17 33:25 48:8,12 48:16 107:2 142:1 145:11 163:12 164:4 truth 163:8,9 try 65:8 104:20 trying 39:23 40:3 43:7,22 44:9 47:2 68:11 69:4 98:20 104:21 115:15 117:25 131:3 138:22 139:1 151:9 157:14 161:10 tsca 135:6,8,23,25 turned 70:6 109:10 143:20 type 11:20,22 15:24 34:2,16 74:18 83:9 87:16 139:4 145:21 types 32:5 53:1 64:7 65:3 91:11 typewriting 4:7 typically 12:9 typo 62:20 u uncovered 27:19 understand 6:9,12,13,15 12:10 13:2,24 13:25 16:25 20:2 30:18 33:16 36:17 39:25 42:17 43:11,12 60:10 67:9 68:1 88:24 89:1,23 90:21 91:15 91:16,22,24 92:5 93:2,11 99:17 103:18,18 111:18 112:22,24 128:17,17	understand (cont.) 129:25 131:16 139:22 146:7 157:14 159:14 161:9 161:17,22 understanding 9:5 13:21 14:4,14 16:12,18 20:4 22:13,18 31:5,9 33:22 34:8 35:2,11 37:12,15,16 37:23 43:8,25 48:3 54:20 55:16 56:11 59:11 60:19,22 66:13 72:21 76:25 89:6 92:17 95:23 97:18 98:22 99:14 106:24 107:15,22 108:2 109:11,14,15 113:16 115:20 116:6,9 121:21 123:20,21 124:1,14,18 130:1 132:7 136:23 137:1,8 137:18 138:19 143:6 144:13,17,24 145:7 149:21 152:23 154:11 158:15 159:19 understood 35:10 92:12 98:13 undertaken 13:5 undertook 159:22 unit 74:25 75:12,14 76:5 united 31:21 111:23 112:3 units 75:4,21 146:9 updated 154:9 urs 23:14,17,22 25:19 27:18 32:12 33:12,24 34:9,12 37:17 47:16,16 63:3 65:6 66:9 70:3,4 71:6,19,19 72:3 72:4 80:16 81:15,23 89:17 90:3,6 91:13 93:15 95:16 97:3,3 115:11,21 141:21 142:8 147:15 148:8 150:12 151:14,15 152:7 153:2 use 18:4 26:3 27:4 28:17 31:5 73:18 74:4,9 80:7,17 130:7 130:23 141:14 user's 143:10,13 uses 31:9 141:17 usr 66:8	v variances 136:8 variety 64:7 various 8:11 10:5 11:15 14:7,15 15:23,24 52:23 75:3,20 82:2 158:11 vendors 81:21 verse 25:2 versus 4:22 101:17 vicinity 148:4 video 1:12 3:11,24 4:18 5:7 61:8 61:11 88:15,18,22 116:12 162:20 videotaped 4:19 videotapes 145:4,5 violations 42:2 vs 1:5 3:5 164:18 w wait 45:16,19 50:13 78:10,10,10 waited 94:6 waiting 50:9,10 waived 2:25 162:23 163:11 waivers 136:8 want 13:20 23:14,24 24:11 26:22 33:15 52:5 61:6,14,15 67:1 67:2,2 68:16 69:13 71:1 88:7,8,13,14 109:19 116:19 117:16 119:17 120:20,23 120:23 121:16 127:8,8,10 128:8 133:10 141:16 144:7 144:12 146:20 156:14 158:1 160:16 161:17 162:18 wanted 5:18 123:7 warehouse 70:14,17,20 99:7

[warnings - years]

warnings	work
76:11	8:9 18:11 22:15 23:18 58:6
waste	100:18 104:3 121:8 124:19
27:5,12 28:9,17,22 29:12	125:7,11 146:22
42:8 43:1 50:19 51:16	worked
74:22,25 75:4,12,21 76:5	6:21,24 7:20,23 17:9 59:4
81:22 83:17 85:13 134:24	84:3 104:8,9 113:2 124:24
134:25,25 135:2,8,10,12,12	125:16 144:14 158:13
139:3,20 140:18 145:21	working
146:8 147:17,20	34:14,14 57:23 58:2,4
wastes	82:12 102:4,5,13 159:16
80:10,23	works
water	22:17 125:10,12
19:20 25:12,14 31:18,23	world
32:16 33:8 34:6,19 79:22	94:9 99:12,12 122:6 156:23
90:1 95:9 96:2 108:23	158:1
110:19 112:9 117:2 130:8	write
waters	139:25
32:3 71:5,10 96:4	writing
waterways	163:10
76:17	written
ways	109:16 120:2 123:3,6,16,19
52:22	wrong
webster	87:12 137:23 160:22
140:6	wrote
wells	119:21
25:14 96:4 148:3	y
went	y'all
7:24 9:11 14:9,9 16:14 18:9	70:6
28:22 49:21 59:4,10 60:16	yeah
74:24 84:7 95:11 99:4	23:16 46:20 47:8 51:4 64:3
118:4 126:6 157:8 158:19	65:18 66:5 71:17 80:16
160:2,3,21	86:14 88:12 94:1 105:15
we've	115:18 117:9 130:22
5:19 9:12 39:2,6 61:5 66:10	131:13 138:2,5 147:15
96:16 97:23 127:1 142:4	150:12 152:8,20 153:1
143:24 146:5 154:14	154:3 156:2
whereof	year
163:17	94:20 139:7,21
wipe	years
130:10	6:22 9:21 16:14 47:18 50:1
withdraw	50:3 94:7,19 104:4 131:21
61:19	134:21,23 138:8 140:10
witness	141:3
4:8 5:6,9 6:6 28:25 44:1	
66:20 68:25 92:23 93:14,19	
124:3 150:23 162:23	
163:10,11,11,12,17 164:1	
woman	
57:9 103:15 155:8 162:5	
word	
89:8 162:16	
worded	
37:7 67:6 92:23	
words	
135:2 142:23	