Lightfoot, Franklin & White, L.L.C.
300 Financial Center
505 2oth Street North
Birmingham, Alabama 35203
(205) 581-0700 Main
(205) 581-0799 FAX

DATE: July 31, 2000

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NAME: Harlan Prater

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PLAINTIFF'S EXHIBIT
EST 1

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cc: Prouse (FAX)/Kill (FAX)/
Bittline/JFW/AKP/WSC/KEC

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

WALTER OWENS, et al.,	)	
Plaintiffs,	)	
v.	)	CASE NO. CV-96-P-0440-E
MONSANTO COMPANY,	)	
Defendant.	)	

Marsh,
This came in today's mail.
HP
7/31/00
(205) 581-0720

NOTICE OF DEPOSITION

This is to notify Monsanto Company, pursuant to Federal Rule of Civil Procedure 30, that Plaintiffs will take the deposition of E. Scott Tucker, III, Ph.D. at 10:00 a.m. on August 1, 2000 at the offices of Smith, Helms, Mullis & Moore, 201 N. Tryon Street, Charlotte, North Carolina, or such other time, date and location as is mutually agreeable to the parties. The deposition shall be recorded by stenographic means and videotape. The deponent is required to produce at such deposition the documents requested in the attached Notice to Produce. The deposition shall continue from day to day until completed.

This 2nd day of July, 2000.

Renee at Sperion Depo. Svcs.

Robert E. Shields
Ralph I. Knowles, Jr.

DOFFERMYRE, SHIELDS, CANFIELD,
KNOWLES & DEVINE
Suite 1600
1355 Peachtree Street
Atlanta, GA 30309
(404) 881-8900

704-333-9889 x235

William Thomas Jacks
James Lawrence Wright
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(512) 478-4422

Grover G. Hankins
Professor of Law
3100 Cleburne Avenue
Houston, TX 77004
(713) 313-4455

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

WALTER OWENS, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CASE NO. CV-96-P-0440-E
	)	
MONSANTO COMPANY,	)	
	)	
Defendant.	)	
	)	

CERTIFICATE OF SERVICE OF DISCOVERY

This is to certify that I have this day served all counsel of record with the foregoing **NOTICE OF DEPOSITION** of Scott Tucker by depositing a copy of the same in the United States mail, postage prepaid and properly addressed as follows:

Harlan I. Prater, IV, Esq.
LIGHTFOOT, FRANKLIN & WHITE
300 Financial Center
505 North 20th Street
Birmingham, AL 35203

Rebecca Williams Block, Esq.
Gerald P. Gillespy, Esq.
BURR & FOREMAN
420 North 20th Street
Birmingham, AL 35203

This 28 day of July, 2000

Robert E. Shields

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

WALTER OWENS, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CASE NO. CV-96-P-0440-E
	)	
MONSANTO COMPANY,	)	
	)	
Defendant.	)	
	)	

NOTICE TO PRODUCE DOCUMENTS AT DEPOSITION

The deponent referenced in the attached Notice of Deposition hereby is requested to produce the following documents at the commencement of, or before, the scheduled deposition.

1. Any and all documents and things provided to the deponent in connection with the above-captioned action. The term "documents and things" shall be used in this Notice in the broadest possible sense, to include writings, drawings, graphs, charts, photographs, phono records, and other data compilations from which information can be obtained, translated, or viewed, specifically including computer files, as those terms are used in Federal Rule of Civil Procedure 34(a);
2. Any and all documents and things reviewed by the deponent in reaching his opinions and conclusions, or otherwise in connection with his testimony in this action;
3. Any and all documents and things, specifically including any scientific, medical, engineering or technical publications, relied on by the deponent in reaching his opinions and conclusions in this matter;

4. Any and all correspondence, electronic mail, notes, memoranda, or other writings, documents or things generated by the deponent in connection with his employment as an expert witness or anticipated testimony in this action;

5. Any and all documents relating to any billing or time records of the deponent relating to his work in this matter; and

6. Any and all other documents and things within the deponent's custody and control relating to his employment as an expert witness and anticipated testimony in this case.

This 28th day of July, 2000.

Robert E. Shields
Ralph I. Knowles, Jr.

DOFFERMYRE, SHIELDS, CANFIELD,
KNOWLES & DEVINE
Suite 1600
1355 Peachtree Street
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Attorneys for Plaintiffs

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FOR THE NORTHERN DISTRICT OF ALABAMA
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WALTER OWENS, et al.,	)	
	)	
Plaintiffs,	)	
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MONSANTO COMPANY,	)	
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	)	

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Birmingham, AL 35203

Rebecca Williams Block, Esq.
Gerald P. Gillespy, Esq.
BURR & FOREMAN
420 North 20th Street
Birmingham, AL 35203

This 27th day of July, 2000

Robert E. Shields