CERTIFIED COPY

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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

VOLUME XV

TRANSCRIPT OF PROCEEDINGS

October 14, 2015

Myra A. Pish, CSR No. 11613
397078

SINCE 1972

BARKLEY Court Reporters
barkley.com

(310) 207-8000 Los Angeles
(310) 207-8000 Century City
(916) 922-5777 Sacramento
(951) 686-0606 Riverside
(212) 808-8500 New York City
(312) 379-5566 Chicago
(415) 433-5777 San Francisco
(408) 885-0550 San Jose
(800) 222-1231 Martinez
(818) 702-0202 Woodland Hills
(347) 821-4611 Brooklyn
00+1+800 222 1231 Paris
(949) 955-0400 Irvine
(760) 322-2240 Palm Springs
(702) 366-0500 Las Vegas
(702) 366-0500 Henderson
(518) 490-1910 Albany
00+1+800 222 1231 Dubai
(858) 455-5444 San Diego
(800) 222-1231 Carlsbad
(800) 222-1231 Monterey
(516) 277-9494 Garden City
(914) 510-9110 White Plains
001+1+800 222 1231 Hong Kong

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

_____

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

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

Wednesday, October 14, 2015

9:13 a.m.

Clovis Veterans Memorial District
808 4th Street
Clovis, California 93613

TRANSCRIPT OF PROCEEDINGS

VOLUME 15

Reported by:

Myra A. Pish CSR
Certificate No. 11613

APPEARANCES:

U.S. DEPARTMENT OF AGRICULTURE:	Office of the General Counsel BY: BRIAN HILL, ESQ. LAUREN BECKER, ESQ.
U.S. DEPARTMENT OF AGRICULTURE:	ERIN TAYLOR, Marketing Specialist LAUREL MAY, Marketing Specialist PAMELA ELLIOTT, Marketing Specialist
CALIFORNIA DAIRIES, INC., DAIRY FARMERS OF AMERICA, INC., LAND O'LAKES, INC.:	Law Offices of Marvin Beshore BY: MARVIN BESHORE, ESQ. Hanson Bridgett, San Francisco BY: JOHN VLAHOS, ESQ. MEGAN OLIVER THOMPSON, ESQ.
DAIRY INSTITUTE OF CALIFORNIA:	Davis Wright Tremaine BY: CHIP ENGLISH, ESQ. ASHLEY VULIN, ESQ.
LEPRINO FOODS:	SUE TAYLOR, Vice-President Dairy Economics and Policy MIGUEL RAMIREZ
DEAN FOODS COMPANY:	ROB BLAUFUSS
HILMAR CHEESE COMPANY:	JOHN VETNE JAMES DeJONG
CALIFORNIA PRODUCER HANDLERS ASSOCIATION:	Stoel Rives BY: NICOLE HANCOCK, ESQ
WESTERN UNITED DAIRYMEN:	ANNIE AcMOODY
SELECT MILK PRODUCERS:	MILTNER LAW FIRM, INC. BY: RYAN MILTNER, ESQ.

I N D E X - V O L U M E 15

WITNESSES IN CHRONOLOGICAL ORDER

ELVIN HOLLON:

(CONTINUED) CROSS-EXAMINATION BY MR. ENGLISH 2887
CROSS-EXAMINATION BY MS. HANCOCK 2927
CROSS-EXAMINATION BY MR. VETNE 2945

ROGER FLUEGEL:

DIRECT EXAMINATION BY MR. BESHORE 2976
CROSS-EXAMINATION BY MR. VLAHOS 2982
CROSS-EXAMINATION BY MR. ENGLISH 2986
CROSS-EXAMINATION BY MR. VETNE 2987
CROSS-EXAMINATION BY MS. TAYLOR 2991
CROSS-EXAMINATION BY GEOFFREY VANDEN HEUVEL 2993

ELVIN HOLLON:

CROSS-EXAMINATION BY MR. ENGLISH 3003
CROSS-EXAMINATION BY MR. VETNE 3009
CROSS-EXAMINATION BY MR. MILTNER 3011
CROSS-EXAMINATION BY MS. TAYLOR 3022
REDIRECT EXAMINATION BY MR. BESHORE 3036
RECROSS-EXAMINATION BY MR. ENGLISH 3043
REDIRECT EXAMINATION BY MR. BESHORE 3045

DENNIS SCHAD:

DIRECT EXAMINATION BY MR. BESHORE 3051

---o0o---

I N D E X - V O L U M E 15

INDEX OF EXHIBITS

NO.	DESCRIPTION	I.D.	EVD.
65	COLOR MAP OF NEVADA COUNTIES		2888
66	DFA SUPPORTS USDA'S PROPOSAL TO TERMINATE FO 135	2891	2892
67	ANALYSIS OF PROPOSAL 1 - PROPOSED SECTION 1051.7(c)	2893	
68	7 CFR SECTION 1124.13	2910	
69	FEDERAL REGISTER VOL. 71, NO.177 PAGES 54152-54170; MILK IN THE CENTRAL MARKETING AREA; FINAL DECISION ON PROPOSED AMENDMENTS TO MARKETING AGREEMENT AND TO ORDER	2920	
70	TESTIMONY OF DENNIS SCHAD	3049	
71	EXHIBITS OF DENNIS SCHAD	3050	

---o0o---

WEDNESDAY, OCTOBER 14, 2015 - - MORNING SESSION

JUDGE CLIFTON: We're back on record on October 14, 2015. It's a Wednesday, it is 9:13 in the morning, and we're in Clovis, California. My name is Jill Clifton, I'm the United States Administrative Law Judge whose been assigned to take in the evidence at this milk hearing.

Today is Day 15 of the hearing -- that's 15. As I mentioned at the end of last week, truly has been amazing. I just wanted to compliment all of those who prepared and are presenting evidence at this hearing. I'm well aware that those people who are here for the entire hearing are also working before and after the hearing, some of you are putting in 16 or 18-hour days, and I appreciate it very much. I appreciate the expertise that you are lending so that the Secretary will have all of the evidence needed to choose wisely.

I would like -- my name is Jill Clifton. I'm a United States Administrative Law Judge. I'm employed by the United States Department of Agriculture. I would like to take appearances of those participating, beginning with other USDA employees.

MS. TAYLOR: Good morning. My name is Erin Taylor. E-R-I-N, T-A-Y-L-O-R, I'm a Marketing Specialist with USDA AMS Dairy Program.

MS. MAY: Good morning, I'm Laurel May, L-A-U-R-E-L, M-A-Y, USDA AMS Dairy Programs.

MR. CARMAN: Good morning, Clifford Carman, C-A-R-M-A-N, Assistant to the Deputy Administrator Dairy Programs.

MS. ELLIOTT: Pamela Elliott, E-L-L-I-O-T-T, USDA, AMS, Dairy Program.

MR. NIERMAN: Good morning, Jason Nierman, N-I-E-R-M-A-N, Assistant Market Administrator Federal Order 5, on detail with AMS Dairy Programs.

MS. BECKER: Good morning, Lauren Becker, B-E-C-K-E-R, USDA Office of the General Counsel.

MR. HILL: Good morning, Brian Hill, B-R-I-A-N, H-I-L-L, Office of the General Counsel.

JUDGE CLIFTON: I would like now to take the appearances of those who are part of the team for a proponent or an opponent.

MR. BESHORE: Good morning, Marvin Beshore, M-A-R-V-I-N, B-E-S-H-O-R-E, attorney representing the three dairy farmers cooperatives who are the proponents of Proposal Number 1, California Dairies, Dairy Farmers of America, and Land O'Lakes.

MR. HOLLON: Good morning, I'm Elvin Hollon, E-L-V-I-N, H-O-L-L-O-N, and I work for Dairy Farmers of America, one of the proponents of Proposal 1.

MR. SCHAD: Good morning, my name is Dennis Schad, S-C-H-A-D, I work for Land O'Lakes.

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

MR. ENGLISH: Good morning, your Honor, my name is Chip

English, E-N-G-L-I-S-H, I'm an Attorney with the law firm of Davis, Wright, Tremaine. My office is in Washington DC, and I'm appearing on behalf of the Dairy Institute of California, proponents of Proposal Number 2.

MS. VULIN: Good morning, Ashley Vulin, A-S-H-L-E-Y, V, as in Victor -- U-L-I-N, also an attorney for the Dairy Institute of California.

DR. SCHIEK: Good morning, William Schiek, S-C-H-I-E-K, Economist with the Dairy Institute of California.

MS. KALDOR: Good morning, Rachel Kaldor, R-A-C-H-E-L, K-A-L-D-O-R, Executive Director of Dairy Institute of California.

MR. RAMIREZ: Good morning, Miguel Ramirez, M-I-G-U-E-L, R-A-M-I-R-E-Z, Director of Economics, Leprino Foods, Denver, Colorado.

MR. DeJONG: James DeJong, J-A-M-E-S, D-e-J-O-N-G, I'm with Hilmar Cheese, a dairy farmer-owned manufacturer of cheese, whey, and milk powders.

MR. ZOLIN: Good morning, my name is Alan Zolin, A-L-A-N, Z-O-L-I-N, I'm a consultant here representing Hilmar Cheese Company.

MR. VETNE: Good morning, John Vetne, V-E-T-N-E, I'm also a representative for Hilmar Cheese Company.

MS. HANCOCK: Nicole Hancock. H-A-N-C-O-C-K, Stoel Rives, S-T-O-E-L, R-I-V-E-S, I represent the California Producer

Handlers Association and Ponderosa Dairy.

MR. LAI: Good morning, Victor Lai, spelled L-A-I, I'm with Producers Dairy Foods, a member of the California Producer Handlers Association.

JUDGE CLIFTON: I would like now to take appearances of any other participants who have not yet identified themselves.

MR. MILTNER: Good morning, Ryan Miltner, M-I-L-T-N-E-R, representing the Select Milk Producers.

MS. AcMOODY: Good morning, Annie AcMoody, A-c-M-O-O-D-Y with Western United Dairymen.

JUDGE CLIFTON: Is there anyone else here who is likely to testify today, if you would come forward and identify yourself at this time. All right. I see no one at this time.

I would like to take initial announcements, any other preliminary matters, beginning with those from the U.S. Department of Agriculture.

MS. MAY: Good morning. Laurel May.

As you know, we're all here to hear proposals for a Marketing Order for milk in California, and we're grateful for those of you who have come to participate in this hearing. If anybody would like to testify, they are welcome to do so, just let one of us know. Pam, who will raise her hand, is taking that role on this week of keeping track of our witnesses and our exhibits. Anybody in the audience may also ask questions of any of the witnesses, so if you would like to do that,

please come to the podium and the Judge will acknowledge you.

We are broadcasting this hearing session via live audio feed, but we have had to change our link. So for those of you who want to notify your people out in the field about the new link for this audio feed, it is www.ams.usda.gov/live.

JUDGE CLIFTON: Say it again, please, Ms. May.

MS. MAY: Okay. www.ams.usda.gov/live. And as you know, the court reporter is recording official transcripts of the hearing, which are available about two weeks after the end of each hearing week. And as of this week, we have the transcripts and exhibits from the first week up, so if you go to our website, you can see those and they are listed by week. The transcripts are listed by week and the there's two separate links, one for exhibits one for transcripts.

I'll tell you what the website is for that, too, just in case you care:
www.ams.usda.gov/rules-regulations/MOA/dairy/CA.
I'll read that to you again:
www.ams.usda.gov/rules-regulations/MOA/dairy/CA.

We do have some copies of some of the exhibits on the table in the back of the room there, they are going fast though, so get 'em while they are hot.

Oh, also I was going to tell you that CDFA, over the weekend, updated their website where they had posted the tables that they entered into the exhibit last week, and they have

added the table number to each of those tables so you can find them more quickly, because they are not in alphabetical order so you can go down the list and find the one that you are looking for more quickly, I think.

I was asked also to let you know that next week on Thursday and Friday we will be moving this hearing to the Piccadilly Inn at the Airport just for Thursday and Friday, and then the following week, if we are still in hearing, we will be returning back here to the Liberty Room on Monday, October 26th.

At the end of the day on Friday, Mr. Hollon was on the stand being cross-examined, and I believe that's where we're going to start today. Although I have been informed that we have a producer coming who would like to be able to speak this afternoon, or testify this afternoon. That's what I have.

JUDGE CLIFTON: Excellent. Thank you. I have the docket number which I would like to read in the record, in brackets, [AO] and then docket number 15-0071. That is how the Hearing Clerk within the U.S. Department of Agriculture has designated this case. The caption, by the way, is In Re: Milk in California.

All right. I would like to hear from anyone else with preliminary matters. If they are statements fine, if they are questions, also fine. None at this time. And anyone, feel free to take the microphone to raise issues about preliminary

matters, or procedures, or location, and duration, and those kinds of things.

All right. There being no other preliminary matters, I would like to have us continue with the testimony.

Mr. Hollon, you are welcome to take the stand. We are in the cross-examination phase of Mr. Hollon. And Mr. English, you may resume.

Mr. Hollon, although you are already sworn, you remain sworn, I would like you again to state and spell your name.

MR. HOLLON: Elvin, E-L-V-I-N, Hollon, H-O-L-L-O-N.

JUDGE CLIFTON: Thank you.

CONTINUED CROSS-EXAMINATION

BY MR. ENGLISH:

Q. Good morning, Mr. Hollon.

A. Good morning, Mr. English.

Q. So I would like to start with a couple housekeeping matters, your Honor. Friday we identified Exhibit 65, which is a map of Nevada with counties and colors, and I apologize, at the time I said it was from the website, but I actually have the website now and I can provide that, and then ask for this document to be admitted.

It's http://geology.com/state-map/nevada.shtml.

JUDGE CLIFTON: Okay. If back slashes don't work, then forward slashes?

MR. ENGLISH: I guess we have technical differences. Yeah,

it is the slash that -- yes, if other people consider that a forward slash, it's the slash that normally is used, and if other people call that a forward slash, that's fine.

JUDGE CLIFTON: Okay.

MR. ENGLISH: So would I ask that Exhibit 65 be admitted.

JUDGE CLIFTON: All right. So basically, say it in words, I think got it all, but just say it in words without spelling.

MR. ENGLISH: Http://geology.com/state-map/Nevada.shtml.

JUDGE CLIFTON: Thank you. All right. With regard to Exhibit 65, is there any objection to it being admitted into evidence? There is none. Exhibit 65 is admitted into evidence.

(Thereafter, Exhibit 65 was received into evidence.)

MR. ENGLISH: Thank you, your Honor.

BY MR. HOLLON:

Q. Next, this is a housekeeping matter -- Mr. Hollon, I believe it was last Friday, but it could have been in your earlier testimony, we discussed the Western Order, the former Western Order, Order 135, correct?

A. Correct.

Q. And when we were discussing it, you declined to agree with me or for confidentiality reasons, would not speak to the question of how it came about that that Order was terminated, correct?

A. I think I declined to discuss DFA's vote on that as a way orders, the way final decisions are voted on.

Q. So do you recall participating in, both attending and testifying at the Central Marketing Area, what you have used to be called pooling hearing, that took place in 2004? So the second of the two Central Order proceedings, it was held in December of 2004, in Kansas City, Missouri?

A. I don't recall, but I likely was there and did testify.

Q. Okay. And, your Honor, the docket number for that is AO-313-A48;DA-04-06, and the proceeding title was, Milk in the Central Marketing Area; I guess Milk in the Central Marketing Area. I was going to say Final Decision, but that's not part of the proceeding necessarily. Do you remember at that proceeding being asked by Mr. Vetne about the termination of the Western Order?

A. I do not.

Q. Your Honor, I provided to USDA, Pamela, and yourself, Mr. Hollon, and the court reporter -- to USDA provided three copies -- and I think there may be a tiny bit of confusion because there an exhibit number on it already, so I want to discuss that. But this is a three-page document which we pulled off the Internet from Dairy Programs' prior hearings, that docket number, Exhibit number 25 was the exhibit number given that document in that proceeding 11 years ago. And in bold there's a statement DFA Supports USDA's Proposal to

Terminate FO135. And above that there is a website which was the original source of this information, that is to say this is a public document on the DFA website, and it references Western Order termination.

So I would ask that this be marked by the next exhibit number, and obviously, in some way as to not have confusion because of the Exhibit number 25 Metropolitan from the earlier proceeding.

JUDGE CLIFTON: All right. It will be a little hard to place an exhibit sticker on this document without obliterating any of the document. I don't want any of it to be obliterated. So in placing the exhibit sticker on, you may need to put it at the top, but not in a horizontal position, in a vertical position to the left of Exhibit number 25, if it will fit there.

Yes, Mr. Carman, can you, do you have a suggestion as to how we can do it?

MR. CARMAN: It fits, could we just strike through the 25?

JUDGE CLIFTON: No, no. Our sticker number will be right next to it, I don't think it will cause any confusion. I don't want to obliterate any of the source document. So it's an odd way to put on a sticker, but it works. Better than obliterating any of the exhibit.

All right. So have we marked this exhibit as Exhibit 66?

THE WITNESS: That's correct

JUDGE CLIFTON: I'll mark mine as Exhibit 66 as well.

(Thereafter, Exhibit 66 was marked for identification.)

And I invite everyone else to do so.

Mr. Hollon, do you want some time to read through it before you have to answer any questions?

MR. HOLLON: No, I'm prepared.

JUDGE CLIFTON: All right. Mr. English, you may resume your questioning.

MR. ENGLISH: Thank you.

BY MR. ENGLISH:

Q. So this document is actually a three-page document, the second and third page after a modest carry over from an article or something dated January 15, 2004, is a separate article, but it's connected, and it says, DFA says "no" for Amendments to Western Order, and that's dated October 31, 2003.

So Mr. Hollon, first, do you recognize these press releases?

A. I don't recognize them, but there's no doubt they are what they say they are.

Q. So now if this document, which was available in 2004, you looked at it, looking at pages 2 and 3, would you agree that when the proposed amended order came out, DFA voted not to support the amended changes and basically voted against the

amendment?

A. Yes, I would agree.

Q. And then looking at the first page, the article dated January 15th, 2004, do you agree that DFA supported the elimination of Federal Order 135, the termination of Federal Order 135?

A. Yes, I would agree.

Q. Your Honor, I'd move admission of Exhibit 66.

JUDGE CLIFTON: Is there anyone who wishes to question the witness before determining whether you have an objection? There is no one. Is there any objection to the admission into evidence of Exhibit 66? There is none. Exhibit 66 is admitted into evidence.

(Thereafter, Exhibit 66 was received into evidence.)

BY MR. ENGLISH:

Q. So when we broke last Friday, Mr. Hollon, we were in the middle of discussing Proposal Number 1, Section 7(c)(1), having to deal with a plant located in Churchill County. Do you recall that?

A. I do.

Q. And do you recall discussing the fact that Dairy Farmers of America also supplies milk to a plant in Reno, Nevada, it's a Class 1 distributing plant?

A. Correct.

Q. I'm going to hand another document. We had some modest issues with the copier not being available earlier this morning, so some of these documents, they are identical, but some of the documents we passed out, the ones that are for the court reporter and for your Honor and Mr. Hollon are printed on both sides, so it is a one piece of paper printed on both sides. We actually had the front desk here in the building make us some copies earlier because we weren't sure the copier would be readily available, and those copies are the identical document, but printed on two pages. So I would like to have this marked as the next number, your Honor.

JUDGE CLIFTON: Will this be Exhibit number 67?

MS. ELLIOTT: That's correct.

JUDGE CLIFTON: It will. So you may mark your copies as Exhibit 67.

(Thereafter, Exhibit 67 was marked for identification.)

MR. ENGLISH: The front, okay, for those who have it printed on two sides of the paper -- thank you, Mr. Beshore, I saw where that was going -- the, actually the pages are numbered 1 and 2 but -- I understand -- the heading is the same, Analysis of Proposal 1-Proposed Section 1051.7(c), and then it says July 2015-CSO, for California State Order prices, is page 1.

Page 2 is July 2015-Imputed FMMO Prices.

BY MR. ENGLISH:

Q. So, Mr. Hollon, what I have done here is using your Exhibit 64, I don't know if you have that with you this morning.

A. I do.

Q. And the tables that I have listed on the right hand side, and I have gone to the most recent month that is available, July 2015, and so taken directly from your tables, I have used the Northern California Class 1 price, and that is because I think you and I agree that today, Nevada uses, for Reno, the California Federal prices for Northern California, correct?

A. Correct.

Q. And then on the next line, I have used Class 4a, again from July 2015, and I have listed the California State Order blend that you used, again from Exhibit 64 and the California State Order Overbase. So in the fifth line I have simply made an assumption that 90 percent of the milk at the Reno plant is Class 1 and 10 percent is 4a. And that would establish, if you accept my math, a plant blend of $17.88. With me so far?

A. So far.

Q. And you agree with me that when we use the term plant blend, that is looking at a specific plant, what its value of the milk at classified values and volumes would work out to be, correct?

A. Correct.

Q. So going back to Friday, we were discussing that to the extent DFA today delivers milk to that plant in Reno, and assuming a 90 percent Class 1 and a 10 percent Class 4a, you would get a plant blend, and if my math is right, $17.88, correct?

A. If your math is right, correct.

Q. Now, the next piece of page 1 has a long title, Cooperative Receipts for Milk Delivered to Reno Plant with Remainder Received and Processed in the Class 4a products, assuming a Federal Milk Order, but it is CSO prices, using California State Order class prices. And what I have done is taken those numbers from above, which are the first two numbers, Class 1 at $18.42 and $13.03, so you have got, in essence, in the first part of the second column, where for 80 percent Reno receipts you have a value of $16.91, you have got $17.88 times 80 percent. Which, if you go up, again, if my math is right, the $17.88 is the plant blend for the Reno facility based upon a 90/10 ratio, but now if that's 80 percent of the total receipts for DFA going to the Reno plant and the Fallon plant, you would have $17.88 times 80 percent, and as I think we have discussed, the Fallon plant produces nonfat dry milk products?

A. Correct.

Q. Which would be Class 4a, correct?

A. Correct.

Q. And so the 20 percent is at the Class 4a price which is the second line above. Do you see that?

A. Yes, I follow.

Q. Okay. So what I have tried to show is what those values would be and what they would generate. And again, assuming my math is correct, would that show what would generate to DFA if there were 80 percent Reno receipts, $16.91?

A. This would be a reasonable comparison of what the price would be.

Q. What the price that DFA would receive using the prices that would be regulated under these assumptions?

A. Correct.

Q. And then I used 60 percent and 50 percent, obviously I don't know what DFA's receipts are, and I'm not expecting you to tell me, but the fourth line, and I admit because I backed into it, I show what receipts would be at Reno, which would be 26.6 percent, versus what receipts would be at Fallon in order to calculate a number that would match the overbase of $14.32 for the month of July. Do you see that?

A. I see that.

Q. And would you agree if my numbers are correct, that that would be, that that would be approximate, would be a value that DFA could generate based upon its sales both to Reno and Fallon?

A. Yes.

Q. Okay. And by the way, if people go to re-create this, there could be rounding errors of a penny, what I did, I went out to three decimal places. So I had three decimal places for the 17.88 times 26.6, I added that to three decimal places of 13.03 times 73 -- and I apologize, that should be 73.4, but I did that, it would have carried over to the next line -- but you could look at that and say it is 14.33 versus 14.32. But that's how it worked out. So that's the first category.

So now I want you to go down to the next one, which is Cooperative Receipts for Milk Delivered to Reno Plant With Remainder Received and Processed Into 4a Products.

Assuming a Federal Milk Order but at California State Order prices still, now using the California State Order class price and the overbase price. And that is, just assuming for a moment that a Federal Order were adopted but the prices stayed the same, that is to say we used the California State Order prices, I was trying to show a comparison similar to above. And effectively, the only real difference is that the class, what was the Class 4a value of $13.03 in the first set of numbers, I now used a California State Order overbase of $14.32. Do you follow that?

A. I think so. I will hear the rest.

Q. All right. Well, this is what I think we were discussing on Friday, that if a Federal Order were adopted, and

in this case using California State Order prices, DFA would, for the milk delivered to Reno, get the plant blend, and on the milk going to Fallon, get the overbase, correct? That's what we were discussing on Friday when I ran out of time.

A. Oh -- yes.

Q. Okay. And again, if my numbers are correct, I have run 80 percent, 60 percent, 50 percent to show what DFA would generate from the value of that milk, correct?

A. Assuming your numbers are right, correct.

Q. Okay. And going to the last one, even though I call it break even, effectively, if the milk is pooled somehow at Fallon, you could literally deliver no milk to Reno, and because a hundred percent of the milk would get the overbase price, you would get the $14.32 on that milk, correct?

A. Yes.

Q. So let's go to page 2. Page 2 shows is instead of the State Order prices, now I'm using again your exhibit. What would be -- what would have been, excuse me, Federal Milk Marketing Order prices for July 2015. Do you follow me?

A. Yes.

Q. Okay. So, for instance, going to Exhibit 64, Table 5.A.6, the Federal Milk Order California Class 1 is $18.45 because you would propose, or as part of Proposal Number 1, your view is you have for Federal Order purposes, just one price as opposed to a price for Northern California and

Southern California, correct? You have 18.45 which is 3 cents higher than page 1, because you blended, for want of a better word, at 54/46 percent, those two values in Northern California and Southern California, correct?

A. 52/48, yes, it's actually, that's the 18.45 is the proxy for a California average Class 1 price.

Q. I agree it is a proxy, which is why I used computed, so a proxy computed.

A. Okay.

Q. So that's where that 18.45 comes from. And now, instead of Class 4a, you have a Class IV, and from Table 64, Table 5.E.8, that was 13.50; am I right?

A. Assuming you grabbed the right line, yes.

Q. Well, you are welcome to go look.

A. I'll trust you for now.

Q. All right. Then you had, on Table 64, Table 5.E.8, the FMMO blend. And I do want you to go to Exhibit 64, Table 5.E.8 for a moment.

A. Okay.

Q. And I want you to go to the last page, Table 5.E.8.

A. All right.

Q. For July 2015.

A. For July 2015, $15.51.

Q. And that's what I have listed as FMMO blend, correct?

A. Correct.

Q. Now, at this point I just want to make sure I have got this read correctly. As I understood the table, if you go over to the right, to Columns H, I, and J, the $15.51 in Column C is unadjusted for quota, correct?

A. Correct.

Q. Okay. If you wanted to calculate the proxy for what you call the FMMO non-quota blend, I understood that you would take Column C, you would subtract Column H, subtract Column I, and add back Column J.

A. Yes.

Q. Okay. And that would give you the FMMO non-quota blend?

A. Yes.

Q. Okay. So if you see on the right hand side of the page 2, that's exactly what I have done, I have taken $15.51 and I have subtracted, although I did it mathematically, you add the negative quota, you add the negative transport, and you subtract the RQA as a positive number, subtract that, and that's the $15.08?

A. Yes.

Q. Okay. So you would agree the FMMO non-quota blend, if I have done the math correctly, for the month of July 2015 would have been $15.08?

A. Yes.

Q. Thank you. So now Table 2 follows the format of, I'm

sorry, page 2 follows the format of page 1, but now uses the numbers that we have just discussed for a proxy for Federal Milk Marketing Orders. So the next line I have got imputed, Reno plant blend, again assuming, trying to say apples to apples, 90 percent Class I, and 10 percent Class IV. And I made an assumption that Nevada prices would change to match the FMMO prices, and you agreed with me that the way the Nevada statute works, that that is what Nevada would have to do.

A. Yes, or change the statute.

Q. Or change the statute. But based upon existing legislation, that's what Nevada would do.

A. Correct.

Q. All right. So on the right hand side for imputed Reno plant blend, again, assuming my math is correct, I've done the very same thing I did on page 1, and instead of having $17.88, I end up with $17.92, and that's a function of 3 cents higher on 90 percent, and 12 cents higher on 10 percent.

Do you see that?

A. Yes.

Q. You agree again, if my math is correct, that would be an accurate representation of what that plant blend would be?

A. Yes.

Q. So in the next box, and this is literally trying to mimic the box on page 1 that was Cooperative Receipts for Milk Delivered to Reno Plant if Remainder Received and Processed

into what was 4a, but now is Cooperative Receipts for Milk Delivered to Reno Plant with Remainder Received and Processed into Class IV Products, assuming a Federal Milk Order and at Federal, FMMO prices, now using the FMMO class and imputed non-quota blend price, and I apologize, actually this comparison is to box 2 at the bottom of page 1. So this now shows, if my math is correct, that at 80 percent Reno receipts, what DFA would receive on that milk is $17.35, correct?

A. Assuming your math is correct, yes.

Q. Which, if you look at page 1, the bottom box is 18 cents higher than it would receive if you didn't have, if you are using the California State Order prices, correct? Because there's a difference between $17.35 and $17.17.

A. Yes.

Q. And again, looking at Zero percent Reno receipts, if there's had been a Federal Order for 2015, looking at zero percent Reno receipts, you could ship nothing to Reno, 100 percent to Fallon, and get the FMMO non-quota blend of $15.08, correct?

A. Correct.

Q. And now for the very last box, and I know that you are not going to agree this is what would happen, but obviously it is Dairy Institute's intention that out-of-state milk which cannot own quota, would need to have a Federal Order blend price. And so for illustration purposes, and I realize that

you and your group do not buy into the legal argument on this, but for illustration purposes, the only change here between the box immediately above that shows $15.08 FMMO non-quota blend, is that instead of using $15.08 in the second calculation, I have used the FMMO blend of $15.51. Do you see that?

A. Actually, do that one more time? I understand what you are trying to do, but I just don't -- I'm not lining up the numbers.

Q. Okay. So for the box we just discussed --

A. Yes.

Q. -- we used the $17.92, times the various percentages for Reno and that came from the imputed Reno blend price.

A. Okay.

Q. And we used 15.08, which is the FMMO non-quota blend to do the calculation. The only difference is instead of using the 15.08 FMMO non-quota blend, I'm saying if the Secretary would determine that out-of-state milk should instead get the traditional FMMO blend using your own Exhibit 64, Table 5.E.8, that would be 15.51 rather than 15.08. Do you see that?

A. Yes, I do.

Q. Okay. And so in that case, if you have zero percent Reno receipts, you could, at the Fallon plant, as Proposal 1 has presently written, if the Secretary were to determine that out-of-state milk needs the traditional FMMO blend, you could actually obtain the 15.51 FMMO blend at that plant, correct?

A. Yes.

Q. Your Honor, I move admission of Exhibit 66?

JUDGE CLIFTON: Who would like to question the witness on this before determining whether you have any objections to it being admitted? Oh, do you have something preliminary to that?

MR. ENGLISH: First of all, it is 67, so that would be an immediate problem, it is not 66. And actually, I'm not going to offer it at this time, I'll offer it through a different witness. I'll offer it through a different witness.

MR. BESHORE: I wasn't going to question the witness, but before it was admitted, I was going to ask if we had had a chance --

JUDGE CLIFTON: Come to the microphone, please, Mr. Beshore, and start again just in case there's somebody who couldn't hear.

MR. BESHORE: Marvin Beshore. I have no questions for the witness on the document, but before it was, if it was being offered into evidence, my question was, wouldn't we have the opportunity to cross-examine the author of the document?

MR. ENGLISH: The answer is no. I have seen lawyers on the witness stand here and it doesn't go well. In fact, I would offer it, but, you know what? I'm going to hold off this line of questions because it does seem to me fair to allow people to run the math for themselves. And I'm happy to do that and maybe offer it later today, and I can also sponsor it through a

different witness. But I do recognize that one issue is, you know, looking at the math, so I'm actually not going to offer it at this time.

JUDGE CLIFTON: I have some questions I would like you to enlighten me on, Mr. English, and this is not in the nature of examination, I'm not expecting you to serve as a witness here. You have chosen certain assumptions and I need some help in understanding why they illustrate something.

What kind of plant is the plant at Fallon?

MR. ENGLISH: The witness has explained that it is a plant that makes what are known as Class 4a plants under California and it would be IV under Federal Order; is that correct, Mr. Hollon? The plant at Fallon?

MR. HOLLON: Yes, that is correct.

MR. ENGLISH: Okay.

JUDGE CLIFTON: All right. And is it located in California or Nevada?

MR. ENGLISH: It is located in Churchill County, Nevada, in the city or around the city of Fallon. I have never been there so I couldn't tell you whether it is in the city limits or outside the city limits.

MR. HOLLON: That is correct.

JUDGE CLIFTON: All right. So when you are showing us possibilities with Exhibit 67, what we are mindful of is two plants that are located in Nevada.

MR. ENGLISH: That is correct, your Honor.

JUDGE CLIFTON: Okay. What does Reno make?

MR. ENGLISH: It is what is conventionally known as a Class I operation. It has other products other than Class I. For simplification I was just trying to illustrate at 90/10, it would almost certainly have what are known as Class II, or used to, whether it does today, I can't say, but at least at one time it did. It would be, the only way it would have Class III would be if Class III for the month was the lowest price and then it is shrinkage ended up in Class III. So I was assuming sort of a conventional month where Class IV is the lowest price, so we have some shrinkage and some other things, but it is Class I operation.

JUDGE CLIFTON: Do you know now what witness you will call before you move admission of Exhibit 67?

MR. ENGLISH: I think I know one of two, or both. But I have to consult with them as to that, but I think I know. And Dr. Schiek is nodding his head yes.

JUDGE CLIFTON: All right. Thank you. And you may continue your cross-examination of Mr. Hollon.

MR. ENGLISH: Thank you.

BY MR. ENGLISH:

Q. So Mr. Hollon, going to your testimony which is Exhibit 63, I want to look at page 18. And actually, for clarity since, again, we're starting today, let's look at 17

and 18, the bottom of 17 over to page 18.

A. Okay.

Q. And what we're looking at here is the section, paragraph B of who is not a producer, correct?

A. Correct.

Q. And B.5 on the bottom of 17, you say "a Dairy Program farmer described in Paragraph B.5 of this section shall be known as a dairy farmer for other markets." Correct?

A. Correct.

Q. And you then have 4.B.5 on page 18, that "a dairy farmer for other markets shall mean a dairy farmer who, having had a Grade A permit, has marketed milk as other than Grade A milk for more than 30 consecutive days and shall not be a producer until twelve consecutive months have passed from the time non-Grade A status started." Correct?

A. Correct.

Q. And that provision, B.5, effectively would bring into the Federal Order the existing opportunity/limitation on California producers voluntarily on January 1st of the year, giving up their Grade A status and staying out of the pool for a year, correct?

A. At some point, it may not necessarily be January 1st, but at some point they have producers --

Q. I'm sorry.

A. -- Grade A status change, then they would be out of the

pool under these under these parameters.

Q. And isn't it true that in California today, that parameter or similar parameter exists in the California State Order?

A. Yes.

Q. So you are, in essence, in B.5 trying to at least match over to that limitation, correct?

A. Yes.

Q. Okay. Now, you have been involved in Federal Orders how many years?

A. 30.

Q. And I have no quibble with your putting B.5 in, but I wonder why you didn't include a B.6, which is a more traditional version of a Dairy farmer for other markets found in Federal Orders. And I'm going to pass out a document which I don't intend to make an exhibit, but harking back to last Friday, I understand people need to have documents.

This is, what I'm going to hand out is a two-page document from 7 CFR, and it is, the first page is a carry over, I was trying to say paper, so it is order 1124.13 and it starts with 4 but it has paragraph 5. And the second page is order 131, which is the Arizona Order. So 124 is the Pacific Northwest, 131 is the Arizona Order. And so this is a two-page document, again, I'm not going to ask that it be made an exhibit.

JUDGE CLIFTON: Okay. So you don't even want it identified as an exhibit, it is just for us to look on?

MR. ENGLISH: I would accept the preface. I have already made enough copies we can turn it into an exhibit, but it seems to me you could take official notice at the end of the proceeding, and I wasn't intending just to load up the hearing record with documents from the USDA. Literally what I was doing from last Friday, your Honor, was rather than trying to read a provision to the witness, I was just trying to have all of us on the same page to discuss it. So no, I was not intending to identify it as an exhibit, I was not intending to move its admission, but if USDA or any person would prefer for the record to have it that way, I have no objection to treating it that way, but I wasn't looking to it that way.

JUDGE CLIFTON: The way I read records is, I have the transcript in front of me and I have the exhibits in front of me, and when the transcript refers to an exhibit, I look at them both. And it is useful. I think even though you may not want to move its admission, if we could identify it, I think that might be helpful.

MR. ENGLISH: Your Honor, I said I would be, whether it is for your Honor, I'd be particularly happy to accept any recommendations, and I have no problem with that.

JUDGE CLIFTON: All right. Let's do mark it. Let's call it an exhibit. I realize it's excerpts of regulations and we

can find it without the exhibit, but I think it is helpful when going through a record to have it handy. Besides, if there's any error in the transcript referring to it, the exhibit takes care of that problem. So let's call this Exhibit 67. 67. Let's get three of them.

68. So soon you will have three. We're marking this as Exhibit 68. And I realize you are not trying to elevate its status, Mr. English, but I still think as a practical matter it's helpful.

(Thereafter, Exhibit 68 was marked for identification.)

MR. ENGLISH: And, again, your Honor I'm happy to be practical about it, I just didn't want to say, I didn't want to move every single document in, but I have others like this, and so we will do the same.

BY MR. ENGLISH:

Q. Mr. Hollon, while we're waiting for the extra copies, I certainly invite you to peruse paragraph 5, which is on the first page of Exhibit 68. And the page, similar paragraph 5 on the second page, and if you would like to have all the Order language I can certainly get you one of the reference books so that you have all of 124.

A. I have a CFR.

JUDGE CLIFTON: So while the rest of those are being distributed, Mr. English, for the benefit of those people who

are not in the room with us, would you again give the citation to the Federal Register, excuse me, to the Code of Federal Regulations?

MR. ENGLISH: Yes, thank you, your Honor. We are looking at page 1 of what's been identified as Exhibit 68.

It's 7 CFR, Section 1124.12.

JUDGE CLIFTON: That's enough. That will get them there.

MR. ENGLISH: And then paragraph B.5 or whatever it is.

JUDGE CLIFTON: Which is the last paragraph of that particular section.

MR. ENGLISH: Actually, it's (a)(5), but yes, the last section.

And then the second page is effectively language very similar from 7 CFR Section 1131.12, in the CFR, and it is also paragraph B(b)(5).

JUDGE CLIFTON: Or is it --

MR. ENGLISH: (b) is at the bottom of the left hand column, and similarly, (b)(5) of the other. It says producer shall not include, which effectively matches up. Not word for word, and not paragraph for paragraph, but it's similar to the language we're looking at on pages 17 and 18 on Exhibit 68.

JUDGE CLIFTON: Thank you. That's helpful.

MR. ENGLISH: And I didn't put all of them in, because there's other orders, like Order 1 has a similar provision, right, Mr. Hollon?

MR. HOLLON: It does.

BY MR. ENGLISH:

Q. So this uses in italics a dairy farmer for other markets, in both page 1 and 2 of Exhibit 68. And would you agree with me that the purpose of paragraph (b)(5) on page 1, and page 2 is to provide a financial disincentive for basically pooling milk, and then otherwise getting a non-pool blend value out of the remainder of the milk?

A. I would say, I generally agree with that. And I might add, it is to, in some ways, deal with opportunistic pooling. So it attempts to provide, this language provides some limitations to that.

Q. But that language is not in your Proposal 1, correct? Language like it is not in Proposal 1, is it?

A. Not in -- the intent, I think, is there. The actual verbiage and the way it might play out, is, if that's what you mean, is not there. In a similar manner to, for example contrasting maybe the Order 1 language with the Order 124 and 131, all three are not identical, but they serve a similar purpose.

Q. Looking at the Arizona language, which is page 2, it reads, paragraph (b)(5):

> A dairy farmer whose milk is received at a pool plant, if during the month milk from the same farm is received at a nonpool plant, (except a nonpool plant that has no utilization of milk products in any class other than Class III or Class IV)

> other than as producer milk under the order in this part or some other Federal Order. Such dairy farmer should be known as a dairy farmer for other markets.

If that language were included in Proposal 1 or Proposal 2 for that matter, would you agree that that language would prevent the results shown on Exhibit 67?

A. I'm not -- Exhibit 67?

Q. 67 is the chart that has not been admitted but shows sort of what would happen, especially on page 2 under Federal Order. Basically the ability to get the plant blend out of the Reno plant, and either the FMMO non-quota blend or the FMMO blend out of the Fallon plant?

A. I'm not certain. I haven't had time to study that, but we did choose the language we chose because we thought it fit our situation better than the other dairy farmer for other market provisions.

Q. Do you agree that the language you have presently chosen does not prevent any scenarios under Exhibit 67?

A. Again, with the proviso I have not had a chance to study 67, I think that that's correct.

Q. Thank you. Did you bring the Federal Register Notice up with you today?

A. I did. Wait, no I did not. I brought what I thought it was, but it turned out to be one of the previous hearings.

Q. I think Laurel is taking care of that.

A. I have it.

Q. I want to also retrace our steps a little bit to our discussion last Friday before focusing in on general questions on that's turned into specific questions about what has been marked as Exhibit 67.

And I want to look at page 47213 and Section 1051.13, producer milk. And I want to look focus on paragraph B, which --

A. B as in boy?

Q. B as in boy.

A. Thank you.

Q. Received by a handler described in 1000.9(c) in excess of a quantity delivered to pool plants.

A. Okay.

Q. And so for clarity in the record, 9(c) is a cooperative association acting on behalf of its members, correct?

A. Correct.

Q. Now, obviously, producer milk under paragraph (a) -- (a) reads, "received by the operator of a pool plant directly for a producer or handler described in 1000.9(c)." So that is milk that that is received at the pool plant. 9(b) is milk that is in excess the of the quantity delivered to a pool plant, correct?

A. Yes.

Q. Okay. So once a producer has been designated as pool

producer because it has shipped to a pool plant, then under paragraph (b) all milk that was reported by a Cooperative in excess of what is actually delivered to the pool plant, could continue to be producer milk until the Cooperative de-designates, correct?

A. Correct.

Q. That provision is not available to proprietary operators, correct?

A. Correct.

Q. And harking back to our discussion on Friday before we were focusing in specifically on Churchill County and what's turned into Exhibit 67, that would mean that once milk from whatever location, either inside or outside California, has been received at a pool plant such as Proposal 1's Churchill County facility, that then thereafter, that milk could be received at a nonpool plant, but listed by the Cooperative as received and remain producer milk, correct?

A. I would say there, that once you go to a nonpool plant you are going to fall under the guidelines and characteristics of nonpool plant which are listed later in this section. If you deliver to a plant in the state, or a plant in Churchill County, whatever you deliver, that would be pool. Well, assuming that the (c)(1) provisions apply. But once you fall out of that, because we don't have nonpool plants in the Order, you would then be subject to the diversion limits later in this

paragraph.

Q. Well, what is the point of paragraph (b)?

A. When paragraph (b) is discussed the 9(c) provision, but again, you would need to follow down in sequence to regulate those diversions to which you speak.

Q. But you haven't said paragraph (b) is subject to anything else, it just says producer milk is received by handler described in 1000.9(c) in excess of the quantity delivered to pool plants, and there's no statement that says, subject to the diversion limits in paragraph (d), is there?

A. There's not.

Q. Okay. And isn't it a fact, in the past when this provision has been applied, it has permitted Cooperatives to continue to pool milk regardless of the diversion limitations?

A. I'm not certain.

Q. Going back to the discussion of the Western Order. One of the issues in that hearing was the Western Order's provision for something called a proprietary bulk tank handler. Correct?

A. That is correct.

Q. And what that provision essentially did provide, was, for proprietary operators, similar regulatory treatment to Cooperatives for milk associated with a Class I operation, but otherwise was received at a manufacturing plant, correct?

A. Yes.

Q. Okay. And DFA, along with myself on behalf of my

clients, as part of the Western Order proceeding looked to remove that provision, correct?

A. Correct.

Q. And USDA actually did remove that provision, correct?

A. Correct.

Q. Is there any substantive difference in regulatory results between the now-terminated Western Order proprietary bulk tank handler provision and your provision 7(c)(1) for a plant located in Churchill County?

A. Again, I think I described our intent would be to make any such activity subject to the limitations relative to paragraph (d), so if that's something that we need to do, we may need to make that change.

Q. Now, in your testimony, going to your policy change discussions starting on page 25, you first discuss as an example of policy changes relevant to today's proceeding, the elimination of individual handler pools, correct?

A. We discuss policy changes in light of shifts in policy, just like some of the things that proposed today would be shifts in policy.

Q. Well, was the elimination of individual handler pools a shift in policy such as who gets to participate in the pool and inclusive pooling versus performance standards, or was it more consistent, given your own statement on page 25, with the idea that competition for the fluid markets needed to be equalized?

A. I think there was some of all the last individual handler pool, was in my memory serves correct, the Michigan order and in the Reform Decision the Upper Michigan.

Q. Upper Peninsula.

A. And it was removed for some of the reasons out of the, given from the decision, that it created or it interfered with the market-wide pooling concept which was the more favorable method to share pool revenues.

Q. But even from your own testimony on page 25, the reference to market-wide pooling was to successfully mitigate price competition between producers seeking the higher value fluid outlets for their milk, correct?

A. Correct.

Q. And turning to producer-handlers, again, the reason why both Cooperatives and proprietary plants subject to regulation were concerned about large producer-handlers, was the impact on not sharing the Class I, either paying or sharing the Class I value, correct?

A. That was, that decision was focused on Class I value, that's true.

Q. So now you reference multiple component pricing plans starting on page 28, now that has to do with pricing but it has nothing do ultimately with who pools or doesn't pool, does it?

A. No. But it does have to do with how values are shared.

Q. But it's not the directly related to pooling and who

gets to pool, correct?

A. No, it is not.

Q. And finally, the development of transportation programs that you reference, that, too, doesn't deal with the question of who pools and doesn't pool, does it?

A. It does not.

Q. Okay. Your Honor, this will be similar to what we did with the CFR. And again harking back to Friday, what I intend to hand out and I guess we'll have marked, is the following, and I have already referenced it in cross-examination today. This is the Secretary's final decision with respect to milk in Central Marketing Area, Final decision on Proposed Amendments to Marketing Agreement and Order. It is the 2004 proceeding for the Central Order, and this is from, this is Federal Register, Volume 71, starting at page 54152, and running through 54170 and it is the entire document, referencing a number of matters heard, and I want to be, I want to try to focus like a laser beam, but we'll take time, if necessary, to do more, but I wanted to hand out that entire document, given your statement earlier today for preference. We can have it marked, but I don't intend to ask that it be admitted. I will be asking for it to take official notice at the end of the proceeding.

JUDGE CLIFTON: I would like to mark it. It will be identified, I believe, as 69. That will be Exhibit 69. And

may mark yours accordingly. While those are being distributed I would like to take a 15-minute break.

MR. ENGLISH: Before we do that, your Honor, just one thing. I note that in trying to save paper, I tried to do something we did last week, was maybe have people share a little bit, rather than everybody having a copy. And we'll certainly share at our table, and hopefully others can as well. It is a 20-page document, I was trying -- I know we did this ourselves, that's why it is not printed on double-sided paper, rather than using USDA's paper. That's my own, non-environmental problem.

JUDGE CLIFTON: All right. Thank you. We'll go off record at 10:28. Please be back ready to go at 10:45

(Whereupon, a break was taken.)

JUDGE CLIFTON: We're back on record, it is 10:46, Mr. English?

MR. ENGLISH: Thank you, your Honor. Have we marked the Federal Register that he passed out?

JUDGE CLIFTON: We have. We have marked it as Exhibit 69, and I would like you again to read into the record the citation.

MR. ENGLISH: Of course, your Honor.

This is Milk in the Central Marketing Area, Final Decision on Proposed Amendments to Marketing Agreement and to Order, dated September 1, 2006, is when it was signed, by the

Administrator, but it is published in the Federal Register on 71, line 71, Federal Register, starting at page 51554152 through --

JUDGE CLIFTON: Do that again, please.

MR. ENGLISH: 54152 through 54170, on Wednesday, September 13, 2006.

JUDGE CLIFTON: Thank you.

BY MR. ENGLISH:

Q. Now, to try to organize this a little bit, your Honor, because it is a 20-page document, what the Department did in this particular proceeding, was it first laid out the issues starting on 54153. So under Number 1, pooling standards, there's paragraph (a), performance standards for supply plants, then on page 54154 there's a discussion, and this is only the discussion of what people said at the hearing or their briefs, so then on 54154 there's paragraph (b) split plant provision, carrying over onto page 54155, and the first column is paragraph (c), system pooling for supply plants, and I'm still very aware the Department was discussing what the testimony was and what the briefs were.

54155, paragraph (d), elimination of supply plant provision. And that's still discussing what people said.

And then, paragraph (e) on 54156, it is against standards for producer milk.

Now, what the Secretary then did is starting on 54157,

for the first time, the Secretary starts talking about the Secretary's view of the record, and I'm in Column 2 at the bottom. Paragraph is the bottom that carries over, starts with the record reveals that distributing plants in certain areas. And then the Secretary continues that discussion over to Page 54159, first column, before we get to number 2, establishing pooling limits.

So what I would like to focus on and the witness is certainly welcome to look at the longer segment, but there are some paragraphs on 54158, starting, like I said, bottom of the second column, where the Secretary for the first time discusses the Secretary's views of what the evidence were.

And I would propose ending, I'm sorry, I apologize, I was on 54157, the record reveals actually sort of duplicates on the other page. The 54157, the bottom of Column 2, there's about three or four paragraphs that I want to focus on. But as we discussed before, if the witness needs to look at the rest, that's fine. But I represent to you and the record that before you get to that statement on 54157 the bottom of Column 2, the Secretary is not saying the Secretary's position. And that as to the issue that I want to focus on, the Secretary's discussion ends on 54159, the first column --

COURT REPORTER: I'm sorry, what was the last part of that?

MR. ENGLISH: 54159, Column 1, there's two-thirds of the way down it says: 2. Establishing pooling limits. And the

Secretary goes off to discuss another matter. I'm not saying they aren't related --

JUDGE CLIFTON: Slow down, Mr. English, just imagine someone is trying to capture everything you are saying.

MR. ENGLISH: Let me just state the whole thing again. What I'm focusing on is the language that starts on page 54157, the bottom of the second column, and while I want to stay, for my part, on 54157, I want it to be clear that the Secretary's discussion of this particular issue carries all the way to 54159, two-thirds of the way down on the first column, where we see a new number 2 establishing pooling limits.

JUDGE CLIFTON: Thank you. That is very helpful.

BY MR. ENGLISH:

Q. So, Mr. Hollon, I know it's a little tedious, but one of us has to read it, starting at the second column, I can pick and choose, but I think it's clear from last Friday that Judge Clifton correctly wants to have context. So for context purposes, if you could read from 54157, the second column, starting with the carry over paragraph to Column 3, which says the record reveals that distributing plants, and read from there until you get through the second full paragraph of 54157 that ends with if effective, can result in pooling milk that is not providing such service. Do you see that?

So there's the paragraph beginning on the bottom of 54157 that carries over the top of page 3, then there's a first

full paragraph --

JUDGE CLIFTON: Now, when you say the top of page 3, you mean the top of Column 3?

MR. ENGLISH: Column 3, thank you, of 54157. And then the following two paragraphs, which are the full, first full paragraphs without a carry over on Column 3, ending in, if ineffective can result in pooling milk that is not providing such service.

MR. HOLLON: The record reveals that distributing plants in certain areas of the marketing area are having difficulty obtaining reliable milk supplies. Because this decision does not adopt transportation credits (discussed later in this decision) for the movement of milk to distributing plants, increasing the performance standards for supply plants is a reasonable measure to better assure that all distributing plants of the Order are adequately supplied. Additionally, other measures are being taken to prevent the pooling of the milk which can not demonstrate regular and consistent service in supplying the Class I needs of the marketing area. The pooling of such milk results in an unwarranted lowering of the blend price returned to those producers who demonstrate regular and consistent service in supplying the Class I needs of the market.

The pooling standards of all Federal Milk Marketing Orders, including the Central Order, are intended to ensure

that an adequate supply of milk is available to meet the need -- sorry, let me start that sentence over again.

The pooling standards of all Federal Milk Marketing Orders, including the Central Order, are intended to ensure that adequate supply of milk is available to meet the Class I needs for the market and provide the the criteria for determining the producer milk that is demonstrated service in meeting the Class I needs of the market and thereby receive the Order's blend price. The pooling standards of the Central Order are represented in the Pool Plant, Producer, and the Producer Milk provisions of the order and are based on performance, specifying standards that if met, qualify a producer, the milk of a producer, or a plant to share in the benefits arising from the classified pricing of milk.

Pooling standards that are performance-based provide the only viable method for determining those producers eligible to share in the market-wide pool. It is usually the additional revenue generated from that higher value Class I use of milk that adds additional income to producers, and it is reasonable to expect that only those producers who consistently bear the costs of supplying the market's fluid needs should share in the returns arising from the higher-valued Class I sales. An important objective of pooling standards is identifying the milk that serves the fluid milk needs of the market, a feature which if ineffective can result in pooling milk that is not

providing such service.

BY MR. ENGLISH:

Q. Okay. So going back to Judge Clifton's question last Friday about inclusive pooling, you are looking for a change of policy for inclusive pooling that would upend existing Federal Order performance standards based upon actual deliveries or the ability to deliver the Class I plants, correct?

A. We are looking for a change in policy for proposed California order based on the marketing conditions in that order.

Q. How do you respond to the Secretary's conclusion that you just read, pooling standards that are performance-based provide the only viable method for determining those producers eligible to share in the market-wide pooling?

A. That the conditions in the proposed California Order are not the same as the conditions in the other orders. So as we have outlined, the California Order would be the only order that the presence, for example, of a quota system, would be the only order with equal and very high percentage utilizations of Class III and IV use. And the opportunities to pool or depool milk would be every month, in our analysis almost every month, one whether the Order would want to pool or not pool. So those reasons, and there may be others, but those reasons would be, we call for the performance standards in the California Order to be measured in some different way than in past decisions.

Q. A way that doesn't result in a regulated mechanism for getting milk to Class I plants, instead relies on third party contracts, correct?

A. Other than the transportation payment system, which we proposed, I would agree with you.

Q. I have no further questions.

JUDGE CLIFTON: Who would like next to question Mr. Hollon?

MS. HANCOCK: Nicole Hancock.

CROSS-EXAMINATION

BY MS. HANCOCK:

Q. Good morning, Mr. Hollon. Nicole Hancock representing the California Producer Handler's Association and Ponderosa Dairy.

A. Good morning.

Q. I do not have any particular order, so I'm just going to dive into my questions.

So let's look at Exhibit 66. Mr. English asked you some questions, this is the two, I guess, news report articles about, from late 2003, early 2004 on DFA support of terminating Federal Order 135?

A. Yes.

Q. Were you part of DFA's, I guess, executive team that made the decision to vote no against the amendments?

A. I was a part of the team, the actual decision was made by members.

Q. Did you agree with the decision that was made by DFA back at this time period?

A. I was part of the executive team.

Q. Is that a yes?

A. Yes.

Q. Why did you agree with it?

A. The evidence that was laid out and the desire of members about what their concern about issues in the day-to-day marketing expressed, so as we laid out the way the new order would operate and explained to them, without necessarily any recommendation, but here's the way this provision will work, here's the way this provision would work. And they then, decided, based on that information, what to do. And they, in turn, directed the policy, and DFA voted and the decision to block vote, which is something that we do.

Q. So my question was about why is it, what about -- what about the proposed amendments did you disagree with, do you recall?

A. No, I don't recall. There were a handful of issues and I don't recall specifically what they were, I'm sorry.

Q. Was it that it had a disproportionate effect on the Class I producers?

A. No, I don't think so. Again, I don't recall, you know, what the reasons were. There were a handful of proposals at that hearing, and a handful in the decision, so I'm sorry.

Q. So let me just tell you what this says and you can, maybe you can help me understand it. It says, and it's a quote to David Jones, and it says: "This is not a decision anyone takes lightly. DFA --" I'm on Exhibit 66, second page, right in the middle of the page. "DFA has decided that the Western Order can no longer expect dairy farmers who market milk to Class I drinking milk markets, to shoulder the costs of balancing and servicing this marketplace while dairy farmers who sell to Class III cheese and Class IV powder markets completely avoid the expense."

Does that help you recall what it is that you had disagreement with --

A. No.

Q. -- in the amendments?

A. I'm sorry, it does not.

Q. Is it fair to say that, that there were concerns about whether certain producers were shouldering an unfair burden or cost in production of Class I milk, compared to Dairy Program farmers who were selling to Class III and Class IV markets?

A. All I can tell you, Ms. Hancock, is reading David's quote, I think that has a lot to do with cost of balancing and serving the marketplace.

Q. Okay. Let's go to the paragraph before that on the second page. And it starts off with, "During a U.S. Department of Agriculture USDA poll of Cooperatives conducted on

October 6, DFA voted not to support amended changes to the Western Order because the proposals did not go, "far enough" to correct the gross inequities caused by pool writing and other issues related to servicing and balancing the Class I marketplace."

Do you see that?

A. I do.

Q. Do you agree that the proposed amendments did not go far enough to help correct the gross inequities?

A. Again, all I can tell you, I don't remember all the particulars, so I don't think they would have made that up. But I don't remember which proposals did what.

Q. So you don't remember if that was an issue for you and your members at the time?

A. Well, I think, when you asked me about David Jones' quote, I said that there were some issues around the cost of serving the market, and I think those are also reflected in the second paragraph, in the paragraph you just read.

Q. Do you know what the gross inequities were? Do you recall what that was about besides the costs?

A. One of the ones that I remember was the proprietary bulk tank handler provision that basically allowed the operator to impact the blend price immensely by the way they chose to pool milk.

Q. Anything else that you think contributed to what was

perceived to be gross inequities in the amendments?

A. That's the only one that I remember.

Q. Okay. And Judge clarified, I didn't mean the amendments themselves created inequities, but the goal was to create better cures for what was perceived to be inequities at the time; is that right?

A. Yes.

Q. So would you agree, then, that the goal for DFA and you, on behalf of your members, is to create an order that would provide an equitable distribution of pricing to the producers?

A. Are you asking about this proposal, the proposal for a California Order?

Q. I'm asking about orders in general.

A. Yes, I would say, yes.

Q. Okay. If you can look at Exhibit 64, these are your, the tables that you created. It is part of, I guess they were put in with your prepared statement.

A. Okay.

Q. And if we look at the last page which is Table 5.E.8 --

A. Okay.

Q. -- and I was trying to follow along when Mr. English was walking through this, and I just want to make sure that I understand it.

And I think he's coming at it from slightly different

angle than what I'm looking at because I represent Ponderosa Dairy, and that's an out-of-state producer, I want to have a full understanding of how the Cooperatives' proposal will impact Ponderosa Dairy as an out-of-state producer.

And as Mr. English was walking through this, I think I understand it, but I just want to confirm that. So I think he took Column C, which is the Federal Milk Order blend, and this is your chart, right? You put this together?

A. It is.

Q. Okay. So if the Federal Milk Order blend in Column C, and then he subtracted out Columns H, I, and then added back in J, and then ended up with what is the proposed Federal Milk Marketing Order non-quota blend price. Is that how you recall that calculating out?

A. Yes.

Q. Okay. So it wouldn't be true then, that that same calculation would apply for out-of-state producers and how they would be paid under the proposed Cooperative Federal Milk Marketing Order?

A. Yes.

Q. And that's because an out-of-state producer would not receive or would not be able to participate in purchasing or requiring any quota, right?

A. Correct.

Q. You would have to deduct out Column H because that

would never be available to them as premium pricing as an out-of-state producer?

A. Well, the blend price would -- yes, that would be correct.

Q. Okay. And then, then you would, for an out-of-state producer, you would also deduct Column I, and this is transportation allowances?

A. Well, those would be deducted out of the blend price. The, so you wouldn't -- they would be, well say it right -- yes, they would reduce, in essence, the price just like any other producer. So it would be no different for Ponderosa Dairy, the transportation monies would be taken out of the pool returns.

Q. Well, but there are producers that could qualify for transportation allowances?

A. Yes, that would be true.

Q. But as an out-of-state producer, they could never qualify for transportation allowances?

A. Yes, that's right. They could not.

Q. Okay. So you would take Column C for out-of-state producers, and columns H and I are the ones that, as an out-of-state producer, they could never qualify for, so for every out-of-state producer you would always deduct those columns?

A. Yes.

Q. In-state producers, assuming they qualify for those either by holding quota or being in the correct territory that would allow a transportation allowance, they could participate in those?

A. Yes.

Q. Okay. And those would result for those in-state producers who qualified, in a higher producer payment price?

A. In the sense that they would get a quota payment or there would be some offset to the marketing of their milk to a class, in essence, a Class I or class II operation.

Q. Okay. Other than being out-of-state, is there any other justification for why it makes sense to not allow those out-of-state producers to participate in Columns H and I?

A. The proponents don't make the quota rules, those are set up by the state so we have no control over that. And the transportation allowance, in order to try to have a reasonable cost reflection and to not abuse the transportation proposal limited to milk that's in the state.

Q. Okay. And let's say, for example, the milk being transported from out-of-state, actually, if you just quantify it, the mileage either came farther than other areas from within the state that would qualify for transportation allowances. Is other than them just being outside of the borders of California, is there any other justification that would explain why that makes sense?

A. I don't think so.

Q. Okay. And then the same for quota. Other than just being outside of the State of California, is there any justification why they would not participate in quota or receive some, or receive a lower producer payment price?

A. Well, again, the proponents don't make the rules for how you can own and not own quota, so whatever the state rules are is what, we're dealt the same hand.

Q. So no other justifications. So other than being outside of the state and that's how the California code is written?

A. Yes.

Q. Okay. If you go to Exhibit 63, this is your prepared statement. Do you write your own prepared statements, Mr. Hollon?

A. I do, at least the initial draft.

Q. And then you have a team of people that help you?

A. Improve it.

Q. Improve it put it into final form?

A. Yes.

Q. I want to turn to -- Mr. English took all my questions. All right. Let's turn to page 24.

A. Okay.

Q. Actually, let's go to page 26.

A. Okay.

Q. And you have, on page 26 of Exhibit 63, you have a Subsection B here where you discuss regulation of large producer handlers.

A. Yes.

Q. And I think the historical implementation of the 3 million pounds or less limitation that was, and then you have cited to a 2010 Federal Register?

A. Correct.

Q. And then this discussion goes on to page 27. I want to talk a little bit about that. Tell me what it is, tell me what your goal was in including Subsection B in your prepared statement.

A. The goal of including Subsection B was to point out examples of where the Department and Dairy Programs has changed their policy with regard to a fairly substantial issue of substantive issue, and so this was one of the five dairies that I pointed out that prior to this, large producer-handlers had not been regulated, and there had been more than one hearing to attempt to create that. And the Department had decided in those hearings that it did not need to be done. Following this hearing, the Department changed its direction, and so the purpose of including this was to point out that change in policy.

Q. Okay. Just to give an example of the historical event in which the Secretary had changed directions to cure what had

become a disorderly market condition?

A. Yes.

Q. And when you say large producer-handlers, these are producer-handlers that were vertically integrated, they produce all the way through distributing a brand new product, correct?

A. Correct.

Q. And under these orders --

A. And in some cases, not brand new product.

Q. Okay. In both products?

A. Yes. No, a private-label product.

Q. Okay. Under private label. So, and these were producer-handlers that didn't, did not have any type of limitation on, on the exemptions that they obtained from the pool; is that right?

A. Correct.

Q. So these were, they -- as long as their businesses continued to grow, whatever they produced was exempted from the pool, they just operated it independently?

A. Yes.

Q. So different than the producer-handlers that I represent in this instance. Is that fair to say?

A. Under current California regulation, if I understand the rules right, your clients today are fully subject to pooling prices up, on everything except their exempt quota. So that either would be no change with that regard for them.

There would be, today California regulation, tomorrow producer-handler regulation, and if they are over 3 million pounds, they would be subject to regulation completely on all pounds, other than the question of exempt quota.

Q. So for our -- let me restate that just to make sure I have it clear on the record. So the Producer Handlers Association, as you understand it, the California Producer Handlers Association, the four entities who are producer-handlers who hold exempt quota, they are fully regulated producer-handlers subject to the pool, except for the exempt quota volumes that they hold, which is a fixed limited amount?

A. Under today's California regulation, yes.

Q. And do you know, or have you looked at the numbers to see what percentage their exempt quota makes up?

A. No, I have heard people make comments about percentages, but I have not tried to sort it out.

Q. And are you in any way, on behalf of the Cooperatives in Proposal Number 1, claiming or suggesting that the California Producer Handlers Association and the exempt quota that they hold are creating any kind of disorderly marketing conditions in California?

A. We get frequent inquiries from our customers who are not producer-handlers about marketing conditions in competition with producer-handlers. So from that standpoint, I do, I am

aware of concerns, I will say. The concerns sometimes just like you, using the eye of the beholder, but nonetheless, we hear comments and questions about competitive conditions which are related to the exempt quota. I do not have any firsthand knowledge. I have not attempted to take a product to the grocery store and attempt to market and sell it, it's only comments from our Class I customers about that.

Q. And I -- I want to be clear about what you are saying here. You are not suggesting that competitors who are complaining about another competitor who gets a sale that they didn't get, is the same as disorderly market conditions, are you?

A. You asked me if I was aware of anyone who had any concerns about that, and I was relating that those are, those are, that's my knowledge of concerns about that situation. And when I do hear it, it is attributed to the exempt quota dollar volume amount.

Q. Yes. I just want to clarify what you are saying, though. You are not saying that competitors complaining about another competitor is the same thing as an disorderly market condition, are you?

A. No.

Q. Okay. So you heard complaints from your competitors that the exempt quota gives the producer-handler some, maybe competitive advantage in selling those brand new products,

right?

A. Yes.

Q. Okay. But you are not saying that those complaints that you have received from customers who are complaining about a competitor, is the same thing as you taking a position on behalf of the Cooperatives today, that the producer-handlers exempt quota is creating a disorderly market condition?

A. No, I think our position at the moment is that they would be fully regulated on all milk, and to the extent in the prior producer-handler decisions where they noted a difference in price, was a disorderly market condition. At this point, we would agree with that, that the price advantage afforded by exempt quota means they have a different price than the order price published as the Class I price, so those two wouldn't be equal.

Q. They would be or wouldn't be?

A. They would not be equal.

Q. So they have a different price, but it doesn't necessarily result in a disorderly market condition for those producer-handlers?

A. Again, the producer-handler decision noted that not all, the fact that all prices were not the same in that regard was a disorderly condition. So we would agree with that at present.

Q. Did you just jump back to the Western Order?

A. No. No. In the producer-handler decision itself, that was part of the reason why the 3 million pound line was drawn, and the pricing terms were applied to a producer-handler, a large producer-handler, was that they had a pricing advantage.

Q. Right. And so in those instances, these are producer-handlers that had no limitation on the exemption, and as far as they could grow, they continued to grow the amount of exempt exemptions that they had from with the pool; is that fair?

A. Fair.

Q. Okay. That's not the case here, right?

A. Well, again, to the extent that the exempt quota is a value that's not priced, and that makes the minimum Class I value be something different for someone who holds exempt quota.

Q. Okay. So -- so I guess what I want to clarify is that at what point are you taking a position that a large producer-handler, now, these were producer-handlers who held exemptions far in excess of what the exempt quota is today, right?

A. They had, for lack of a better word, sales volume of 3 million pounds or more, and so that's what qualified them as a large producer-handler.

Q. Okay. But it went far in excess of that, right?

A. Yes. Some were much larger than that, and some were

approximately that size.

Q. Right. But it is the ones, it was kind of the unended growth potential, right? There's no cap on it? The growth potential that created the disorderly market conditions or were found to be the disorderly market conditions?

A. That was true. I would agree that was one of the factors that it appeared to be, in the early days it was described as a matter of administrative convenience, but as they got, as the size of some producer-handlers got to be very large, it would, it was deemed to be a disorderly condition in the marketplace.

Q. So what I'm trying to figure out, though, is if you are trying to claim today that the exempt quota held by the producer-handlers is creating a disorderly market condition in California.

A. Our position --

Q. Is that your allegation today?

A. Our position at this point would be that all of the, all of the milk of a producer-handler with over 3 million pounds would be regulated.

Q. That but that wasn't my question.

A. Okay.

Q. What my question is, is whether you are alleging today that the limited exempt quota held by the producer-handlers in California, the 54,000 pounds that we have heard about, which

is what, less than half a percent of the total pool, whether that is creating, whether that amount in itself is creating a disorderly market condition?

A. At this point, that would be our position.

Q. Okay. And have you conducted an economic analysis about this to come to that conclusion?

A. No.

Q. Okay. What do you base your conclusion on?

A. The fact that all prices are not equal at, the minimum prices are not the same.

Q. And that's because you have customers who complain to you about the competitive pricing circumstances?

A. No, that's because the exemption creates a credit, if you will, against what might be their volume. If you had a hundred pounds of milk and you paid the Class I on a hundred pounds, that would be some dollars. If you had a hundred pounds of milk and you paid the Class I price on 95 pounds, and nothing on the remaining 5, that would be a lower price.

Q. So does that mean that a producer who received transportation allowances different than a producer who does not receive transportation allowances is creating its own disorderly market conditions as well?

A. Those -- the limitation on transportation allowances for milk outside the order, that's part of our proposal as you have identified. And there are instances in other orders where

milk outside the order, outside the marketing area, is subject to different provisions. And so as an example, in Federal Order 30, milk outside a certain area has different ways to perform. It has a plant that wants to be included in the pool, has to ship milk out of the plant as opposed to being a part of someone else's shipments. So there are, there is precedent for things like transportation credits that would apply differently, or there is precedent for performance standards that would apply differently, as you described, in-state and out, or in area and out of area might be a better term for it. So those are allowable.

Q. Okay. And so you have a justification for why those allowances should, transportation allowances, should be in place. So even though there is a difference in pricing for those producers, one who receives the transportation allowance and one who doesn't, you have a justification that explains it, and so that means that it is not a disorderly market condition?

A. Yes.

Q. Okay. And then the same would hold true then, for producers who receive quota, regular quota, premium pricing, right? That because they hold quota and there's a justification for how and why they have obtained that quota, that would mean that even though they get a premium pricing, it doesn't result in disorderly market conditions because there's justification behind it?

A. Correct.

Q. So would the same -- would the same conclusion hold true, then, for exempt quota, that for the same reasons that exempt producers have a justification, or the same reason that regular quota holders have a justification for receiving premium pricing that justifies the difference in pricing, the same would hold true for exempt quota holders who also have a justification for why they hold that limited quota exemption?

A. That could be a valid argument, which would be in your camp.

Q. Do you agree with me, though, that that would be a justification that would explain why it is not a disorderly market condition?

A. Yes, that could be. But it was, once again, set by the California statute.

Q. I have no further questions.

CROSS-EXAMINATION

BY MR. VETNE:

Q. John Vetne, representative for Hilmar Cheese Company. Let's see where to start.

I want to make sure that I understand, Mr. Hollon, what you did or tried to do in Exhibit 64, Table 5.B, as use of that data elsewhere in your exhibits and testimony. As I recall from last Friday, you explained that you couldn't find a good source of information in CDFA data on the value of beverage

milk distributed in Southern California versus Northern California, correct?

A. I think I explained I needed some way to compute a comparison between the two systems, the California system and the Federal system, so that was the derivation of Table 5.B.

Q. Okay. And you chose this because -- because you couldn't find information in CDFA, either in requested exhibits or information they ordinarily publish, correct?

A. In requested exhibits or in information they ordinarily publish?

Q. Yes.

A. Yes.

Q. Okay. So you tried to impute a value of Class I milk in Southern California based on population. Am I right so far?

A. Tried to come up with a way of, way to price, if you will, over the whole state to be as representative as I could get, so I could use it both in a California calculation and a Federal Order calculation.

Q. And so your thinking in preparing Table 5.B was to determine how much Class I beverage milk is used in California, based on the Southern California versus Northern California, based on the relative populations?

A. Yes.

Q. And then -- and then impute a value for your calculations based on those differences, Southern California

having a greater population, greater consumption, impute a Class I value to Southern California based on that consumption pattern?

A. Same for Southern and Northern, yes.

Q. Okay. So the effect is that your data produces an imputed Class I value based on point of consumer purchase, essentially?

A. Yes. Assuming it is consumed where it is purchased.

Q. Yes. If one were to apply the same approach to the Upper Midwest Marketing Order, you would look at the population in Chicago and surrounding Chicago, and you would get an imputed value of Class I milk at point of purchase that would be heavily weighed by imputed Chicago price, correct?

A. You mean using the same type of population-based county?

Q. Yes.

A. Yes, you would.

Q. Yes. Are there any distributing plants in Chicago, in the city of Chicago, anymore?

A. There may be one.

Q. There may be one. But Chicago is primarily served by plants that are located at various distances from Chicago, correct?

A. Correct.

Q. And they receive milk at that location which is less

than the Federal Order or imputed value in the city of Chicago.

A. I'm not familiar with exactly the way the zones are laid out off the top of my head, but there would be some differences.

Q. Chicago is the highest zone in that market, correct? Well, maybe Southern Illinois if it's included, but Chicago is --

A. I'm just saying I don't know where there are, there's more than one zone in the Chicago market, and I don't recall what the counties are in each one.

Q. But Chicago market can be in the Upper Midwest market?

A. Yes.

Q. But primarily milk comes, packaged milk comes from plants that are in lower-priced zones and distributes milk towards the population center, correct?

A. Yes.

Q. Would you agree with me that a substantial part of milk that is actually distributed in California, in Southern California, higher-priced zones, is actually received at plants in Northern California?

A. I do not know.

Q. You don't know. Would you agree with me that in order to ascertain the value of producer milk received for Class I, you would need to know something about where the milk is being received?

A. You mean where the processing plant is located?

Q. Where the processing plant is located.

A. Yes.

Q. In theory, Southern California consumer beverage milk can be served in its entirety by plants located in Northern California? There's no requirement that there be a plant in Southern California in order for the population to be served, is there?

A. No.

Q. And your analysis doesn't say anything about the value or imputed value of Class I milk relative to point of plant receipt, correct?

A. Correct.

Q. Okay. In imputing Class I use in Southern California versus Northern California, were you aware that in Table 10 of the Monthly Dairy Information Bulletin published by CDFA, there are, there's data in volumes sold in Northern California and Southern California of beverage fluid milk?

A. I'm not.

Q. So you have in deriving your imputed data, you didn't look at published CDFA information to see if it might be there, correct?

A. I did look. I did not see it, and could you tell me what that data represents?

Q. It is Table 10 of the Dairy Information Bulletin, which

is a publication that was published monthly through February of 2015, and distributed in paper form, and available in an image on the Internet. And since then, has been available in data form by CDFA. And it shows sales of Class I products for Southern California and Northern California in gallons of whole milk, reduced milk, fat milk, which is two percent, lowfat milk which is one percent, and skim nonfat, fat-free milk. And then beverage milk totals for Southern California and Northern California. You weren't aware of that?

A. And, no, I was not directly aware of that. And those boundaries are the Southern California boundaries and the Northern California boundaries, I presume.

Q. The marketing area as defined by the CSO, California State Order.

A. Okay.

Q. On page 4 of your testimony you used the word blend price target.

JUDGE CLIFTON: Now we're in Exhibit 63?

MR. VETNE: Actually, you don't use the words blend price -- yes, 63, sorry.

BY MR. VETNE:

Q. You use the word estimated blend prices.

A. What page, I'm sorry.

Q. Page 4, second full, second full paragraph. You look at the derived data that you produced using Table 4.B and

compared State Order and Federal Order. And in the last sentence you state, "In order to achieve these blend prices, the proposed California statute milk pooling provisions must include all of the class price values." And that is the class price value from your proposed Class I, II, III, and IV, correct?

A. What page are you on?

Q. Page 4, second full paragraph, before the heading in bold, C.

A. Yes.

Q. Okay. First, the sentence concludes with "California's FMMO's pooling provisions must include all of the class price values." Your reference there to class price values is to all of the Federal Class prices, Class I, Class II, Class III and Class IV, correct?

A. Correct.

Q. And it is the class price values that the Cooperatives in Proposal Number 1, correct?

A. Yes.

Q. And it's, and when you say "to achieve these blended prices" it's a blend price that you impute using, among other things, the derived data in Table B.

A. Correct.

Q. Correct?

A. Correct.

Q. So part of the proposal objective is a blend price enhancement target; is that correct?

A. Yes.

JUDGE CLIFTON: Just so the record's clear, Mr. Vetne, when you asked him does it include all the class price values, and you referred to numbers, those were Roman numeral numbers?

MR. VETNE: Yes, the proposal incorporates Roman numeral numbers.

JUDGE CLIFTON: Thank you.

BY MR. VETNE:

Q. And again, going to, this time Exhibit 63, page 8, the first paragraph under Heading E, Necessary Pooling Provisions, the second full sentence states, "In order to accumulate and retain all the revenues necessary to provide for the blend prices proposed and to create an orderly milk market, this proposal requires that all milk delivered to the plants located in the marketing area from farms located in California, must be pooled each month."

Your reference there to provide for the blend prices proposed, is the same concept that we discussed on page 4, that you have a, the Cooperatives have a blend price enhancement target in mind as part of the underlying consideration for Proposal Number 1, correct?

A. Try that again. You incorporated three or four different thoughts there, I need to sort them out.

Q. The reference in your statement to blend prices proposed, incorporates the concept that the Cooperative proponents of Proposal 1 have a blend price enhancement objective as part of the important underlying concept in Proposal 1?

A. Yes.

Q. And additionally, in addition to the blend price enhancement concept, an objective is to create an orderly market. Other than blend price enhancement, what features of the current system are disorderly that you believe a Federal Milk Order would thwart?

A. In addition to the proposals we made, that would include all the milk in the pool, it would also be the question of milk that's outside the state being regulated, it would also include the uniform treatment of producer-handlers. Off the top of my head, the others are all out, I don't remember them off the top of my head, but I think I answered that same question from you the first time in the first statement. So those would be two.

Q. Okay. Well, all the milk in the pool is essentially that which currently exists, correct?

A. Yes.

Q. That's not -- so all the milk in the pool in the CSO is the same concept as all of the milk in the pool in the proposed Federal Milk Order.

A. That's except for the proposed order would require that it all be there and it would all be using the national price grid across all classes.

Q. As far as the all milk in the pool part?

A. Yes.

Q. Since it is all there now there's no disorder that is cured by all milk in the pool under the proposal?

A. As long as the proposal is as proposed, that would be true, and that's the way that we would propose it. That's not the same as in Proposal 2.

Q. Okay. The inclusive pooling concept under your proposal is captured by the clause that identifies a plant located in California as being a pool plant, correct?

A. It is captured by the language and you do mean the language that's in 7(c) and 7(c)(1)?

Q. Yes. Because the definition for distributing plant, a definition for an ESL plant, and then a definition pool plant located in the marketing area.

A. That receives milk from a producer located in the marketing area (c); and then (c)(1) describes the Churchill County situation.

Q. So why have a 7(a) and (b) at all? If all plants in California are pool plants, why distinguish distributing plants from other plants?

A. In order to have those provisions, we thought it was

necessary to include 7(a) and 7(b).

Q. What function does 7(a) and (b) serve in a proposed California Order, if all plants are pool plants?

A. Simply helps further define what they are.

Q. Would you agree with me that they would all be captured by 7(c) in any case, proposed 7(c)?

A. Yes.

Q. You refer to, I'm not sure who asked the question, but you referred to the concept of opportunistic pooling. That's a term that you have used frequently in Federal Order hearings, post-Federal Order Reform, correct?

A. I don't know if that exact term has been used, but that concept has been a topic of lots of Federal Order hearings.

Q. Okay. For example, if I can, if you have current memory or if I can refresh your memory, in the Upper Midwest there was an issue that arose because all of a sudden a lot of milk from Idaho is being pooled in the Upper Midwest. Do you recall that?

A. I do.

Q. And that was an opportunity created by the Reformed Decision, correct?

A. Repeat that, please?

Q. It was an opportunity created by Federal Milk Order Reform, correct?

A. Are you referring to the absence of the zone out

provisions in the pre-Reform?

Q. You are reading my mind.

A. Well, if you would state your mind, I wouldn't have to read it in order to answer your question.

Q. Why don't you describe that as creating an economic opportunity or an incentive that didn't exist prior to Federal Order Reform?

A. I didn't hear the front end of what you said.

Q. Why don't you describe the zone out pre-Reform, absence of zone out post-Reform, that created an opportunity that wasn't there before?

A. Pre-Reform, blend prices are were adjusted based on mileages from some location, and I'm not sure if it was in every order and I'm not sure, I'm sure it wasn't done the same way in every order. And then post-Reform, those mileage adjusters were not included, so that created, as you described, that created some opportunities.

Q. Okay. Because the post-Reform Decision gave value to just milk, value relative to its value in the local market that didn't exist before?

A. I would agree.

Q. Okay. My recollection is that you testified either in Minnesota or in the Central Market hearings that would have preferred to have the problem addressed by zoning on producer milk, but the USDA wasn't receptive to that at the time.

A. I don't recall.

Q. Okay. Would you agree with me that opportunistic pooling, as we have discussed, was a marketing practice symptom of a problem created by the absence of zoning out producer milk at distant locations?

A. Yes, and included in that were perhaps relative changes in class prices that were perhaps different in 2005 versus 2000.

Q. Okay. Were you involved in a series of milk order hearings, you said you had been doing this for 30 years, so it would have been the beginning of your career, in 1985 Congress amended the statute and mandated certain Class I prices in certain areas. Do you recall that?

A. I recall that. I don't directly recall being involved in those hearings, I may have been in some of the Upper Midwest hearings in the Chicago Order and in the Indiana order, but I don't remember.

Q. You don't, okay. So you don't recall how that mandated price translated to a need for hearings to accommodate dislocation in distributor plant relationships, in competitive relationships created by the mandated price?

A. I don't recall.

Q. Okay. Would you agree with me that the Class I price surface that's reflected in current FMMO system which you propose to superimpose in California, is a function of two

competitive supply and demand factors? One is the value of producer milk at one location compared to another, to a distributing plant.

A. Is that one condition or two conditions?

Q. That's one. That's one.

A. Okay. You said two.

Q. Okay. I'm getting to the second one.

A. Okay.

Q. Okay. That for Class I handlers, the value of producer milk at one location may be different than another location depending upon the proximity or distance of the plant from the primary or supplemental supply?

A. And you are asking me is that one of the factors in the Class I price surface?

Q. Is that one of the factors in the Class I price surface that USDA uses and has used?

A. Yes, I think that is one of the factors in the differential price surface and the research information that was done.

Q. Okay. And distributors, after they receive packaged milk, distribute milk in competition with each other in a way that is different from the flow of raw milk to those distributors?

MR. BESHORE: May I, your Honor?

JUDGE CLIFTON: You may, Mr. Beshore.

MR. BESHORE: I would like to note at this point --

JUDGE CLIFTON: State your name.

MR. BESHORE: Marvin Beshore.

I would like to note at this point that as we have mentioned at least twice, as I have mentioned at least twice in prior occasions, there's a subsequent witness who has the primary responsibility of discussing pricing proposals, that is the Class I price surface, etcetera. That was not addressed in any, although prices are used in Mr. Hollon's testimony, that was not a focus of his, of his direct testimony here, and I would suggest that this line of questioning is not appropriate with him any further.

JUDGE CLIFTON: Mr. English, you may speak.

MR. ENGLISH: Chip English. Your Honor, I need to sort of go back to the first day and talk about how the schedule works and all that, but there's just no way to parse it this way. What this witness says about how a pooling will work, as Mr. Beshore just indicated, depends on his assumptions about the pricing. And I appreciate there will be a different witness to talk about the pricing, but to prohibit Mr. Vetne from asking questions about how that impacts the pooling, will give, will be leave us with a bit of a jigsaw puzzle where we might have the pieces around the edge, but nothing in the middle.

JUDGE CLIFTON: Yeah. I think these are fair questions

for Mr. Hollon. I -- I'm glad for the direction to know that there will be another witness about pricing, but I have to agree that all this hearing's about pricing, so far.

MR. VETNE: Thank you, your Honor.

BY MR. VETNE:

Q. So my question was, if I can recall rather than have the, have it be read, that is it not the case that Class I handlers that receive and distribute milk, market their milk from their plant in competitive conditions that are not at all the same as the flow of raw milk to those same competing handlers?

A. My understanding of how the price surface was derived, both of those factors are included.

Q. Okay. Now, in most, well, every Federal Order, part of the incentive of a producer to deliver to a plant at one location versus another is that the blend price might be higher or lower at the plants that might be available to the producer, correct?

A. Yes, that could -- price is always a factor.

Q. Price is a factor. And in the current FMMO system, producer prices are adjusted on exactly the same basis as handler Class I prices, correct?

A. Yes, they are.

Q. Okay. And the current system carries forward pre-existing policy, pre-existing regulatory thought, that

those price differences in the blend price, when adjusted at Class I differentials, helps attract milk to a plant where it's needed?

JUDGE CLIFTON: That's important, would you say that again, please?

MR. VETNE: Okay.

BY MR. VETNE:

Q. The current structure in the pre-Reform structure, incorporates regulatory policy and determination that the blend price adjusted at the same rate as Class I prices helps attract milk to plants where it is needed?

A. The structures you described is there in pre-Reform and post-Reform. I'm sure you are aware that it is there but it is not required to be there, there is an option to do it as we proposed. And so for the proposal we've made, we think that that's a better fit, if you will, for the proposed California market than the structure in the other ones.

Q. Okay. I agree. And I do know that doesn't have to be that way, it hasn't had to be that way since 1985 when Congress included in the amendments, what I call the Beshore amendments, market-wide surface authority that what was not there before. I was glad to have Paul Christ talk about the Ozarks as a place that hasn't been used.

Your proposal takes the producer-incentive side of that equation, that is, adjusting producer prices at the same rate

the Class I prices are adjusted, takes the producer blend pricing incentive for one location compared to another out of the picture

A. It does.

Q. If the producer price incentive is not there at all, why is there any need to have to change the competitive relationship long-established among competing Class I distributors?

A. Try that question again.

Q. Okay. Currently there are distributors, Class I handlers in California, correct?

A. Yes.

Q. Okay. And they have evolved over many decades, there are, like any market, fewer now, fewer plants that process a larger volume, correct?

A. Generally, yes.

Q. Okay. And they have, over the years, established a distribution pattern in competition with each other relying upon a relationship of regulated costs of one to the other, correct?

A. Correct.

Q. Okay. And you propose to change that relationship in some cases significantly, correct?

A. Are you referring to the difference between the Federal Order price grid and the Northern California/Southern

California price grid?

Q. Yes.

A. Yes.

Q. That's a significant change for Class I handlers, correct?

A. That is a change, I haven't measured every location to see what it is, but it is nonetheless a change.

Q. And, in fact, the only place where a change has been made in the Federal system has been in the Southeast of the Class I price surface, correct?

A. Correct.

Q. And by the Southeast, I mean aggregate markets the Appalachians?

A. Federal Orders 5, 6, and 7.

Q. 5, 6, and 7. And handlers, at that time, talked about how that would change their competitive relationship with competitors who process milk to the North that have lower prices, and that the price, competitive price spread in the regulated prices would increase, correct?

A. I was up with you until the last phrase, but that there was testimony about how competitive price relationships would change, I agree with that.

Q. Okay. And would you agree with me that a change in that price spread requiring some distributors to pay significantly more than they currently do and others to pay

moderately more than they currently do, will change the competitive relationship among those distributors?

A. Again, as to the words significant and moderate, I would say that yes, there will be changes in price relationships that may require or may result in some change in distribution patterns or business plans.

Q. Okay. Loss of capacity in high-class plants would increase capacity in plants that benefit relative to others, correct?

A. That could be true.

Q. To minimize such dislocation, do you think it would be reasonable and prudent for USDA to employ a Class I price surface that is no more than 20 years old?

A. Say that again?

Q. To minimize dislocation among competitors, would it be prudent for USDA to use, or at least look at, a Class I price surface model that is less than 20 years old?

A. If that were to be done, I think all the objections that you raised would still be there. Some would be happy or some would have concerns in one direction and one another. And if that were to take place, I think it is our position that that would be done at the national level, as opposed to at an order by order level in this case, not in the proposed California order. So with those provisos that if USDA chose to do that, we would be a part of that process.

But for this proposal, we choose to use the existing Class I price surface and Class I national grid price.

Q. So if USDA believes it is necessary to take a new look at supply and demand for milk in Class I use in a price surface, in order to make the most effective order in California, one that is the only practical or terms are available to the Secretary, if that's necessary, would you agree that the Secretary should delay implication of final order until there is a national hearing?

A. No.

Q. Why not?

A. Again, I think we have outlined our position and the things that we want to do, and we want to see those happen as soon as they can. So if there is a national hearing, then that will be called on its own motion momentum, whatever the right terms are, and we don't see delaying this effort --

Q. Okay.

A. -- in that regard.

Q. Now, I know you are probably tired of this, but going back to the Western Order?

A. At least you told me what you were thinking up front.

Q. Western Order scenario.

A. By the way, wasn't that the Order hearing where you were a witness?

Q. I don't recall. I also, you know, I also can sometimes

have selective, you know, sometimes I just bury those memories so deeply that they can't surface.

A. Fair enough.

Q. If I did, it would not have been fun.

A. I unfortunately, had to leave early, so I can't tell you whether that is true or not.

Q. In exhibit, you don't have to look at it, but you can, Exhibit 66, page 1, you list three objectives that proponents in that hearing had, and one is to reduce the volume --

JUDGE CLIFTON: Now, just a moment he didn't author 66. You know this, right?

MR. VETNE: I understand.

JUDGE CLIFTON: Okay. So could you reword your question?

MR. VETNE: Okay. 66 hasn't been received?

JUDGE CLIFTON: No, No, I just said, you asked him a question "you" and I just wanted to remind you this witness did not author Exhibit 66.

MR. VETNE: Okay. Yes, I understand.

JUDGE CLIFTON: Okay. So go ahead and start again with your question, please, it is admitted into evidence.

MR. VETNE: Yes, okay.

BY MR. VETNE:

Q. In Exhibit 66, page 1, the paragraph that is concluded at the bottom, not the one that begins at the bottom, describes DFA's objectives. The third numbered item is to reduce the

total volume of milk allowed to be pooled on the order. Do you see that?

A. I do.

Q. Okay. And that was an objective that you had at the time, correct?

A. I don't remember the exact particulars of that, I would say, if that would be to impact the proprietary bulk tank handler provision, that would be true. Otherwise, I don't recall.

Q. You, among other things, proposed to tighten a number of pooling provisions.

A. Yes, we did propose the change in the, I think the diversion limitations.

Q. Generally performance standards?

A. Performance standards. Yes, you are correct, we did.

Q. Making it more difficult for milk in that region to access the pool.

A. Yes.

Q. Are there markets in which DFA operates in which DFA receives a fee by other market participants in order for DFA to accommodate the milk and allow access to the pool?

A. I'm not aware of any.

Q. We have had a lot of talk about depooling opportunities, and one of the reasons that you gave for your proposal is on the California milk has to be pooled for the

quota system to work, in essence, correct?

A. The presence of the quota system impacts the decisions to pool or depool in a big way. So the presence of that, combined with the utilization differences, would be a key factor in wanting all the milk to pool if we were going to incorporate all the class prices into a blend price.

Q. Okay. But mandatory pooling does not apply to outside other California milk that might seek to associate with a new California order, correct?

A. Correct.

Q. And that volume of outside milk may elect freely to pool or depool on a month-to-month basis without limitation, correct?

A. When you say without limitation, I would disagree with that because there are standards where milk outside the order to have to meet in order to pool.

Q. Performance standards?

A. Performance standards, yes.

Q. But there is no limitation comparable to that in the Upper Midwest, Central Market, or Mideast that would restrict the volume that could come back after opportunistic pooling for one month?

A. Say that again.

Q. The Upper Midwest order, the Mideast order, and the Central Order --

A. Yes.
Q. Contain disincetives to depool by limiting the amount of milk that can come back to the pool.
A. Yes.
Q. Does your proposal contain those?
A. Yes, there's 115 percent.
Q. Exactly like the Upper Midwest?
A. No.
Q. No?
JUDGE CLIFTON: Let him talk and then you can.
MR. VETNE: Sorry.
JUDGE CLIFTON: So start again, Mr. Hollon, with your response. He wants to know, is there no limit comparable to the Upper Midwest, the Mideast, or the Central disincetives. If you will respond to that.
BY MR. VETNE:
Q. How is it comparable?
A. To the, I would say, the comparable is that there are limitations. The percentage, I think, in our proposal is 115 percent, for example. The Upper Midwest repooling percentage, if you will, is 135 percent, so there are differences there.
Q. Okay. Are there any other restrictions?
A. You cannot pool until you deliver five days to a 7(a) or 7(b) plant, and there's a limitations on the amount that you can divert, and those are high standards. And if those

standards are actually met, we think that would be economic justification for that milk supply to be a part of the pool, but those are very high standards and would require a pretty high economic justification.

Q. A 7(a) or 7(b) plant, is that an individual producer touch base requirement or is that an --

A. Yes.

Q. Okay. That can be 7(a) or 7(b) plant located in or outside the marketing area?

A. No, inside the marketing area.

Q. Why would -- why could it not be outside the marketing area? There is opportunity for a distributing plant to be pooled under the new California Order by meeting the 7(a) or 7(b) standards, correct?

A. Because that's not the proposal.

Q. Under your proposal, milk originating on California farm, ranch, can be marketed outside of the state and not be included in the California pool?

A. Correct.

Q. Okay. And whether it's included or not, it is simply a function of reporting handlers decision to write that farm and farm numbers on the pool report or not included in the pool report, correct?

A. Is this the same farm that delivered out-of-state?

Q. Yes. DFA, for example.

A. Uh-huh.

Q. Can take milk of a producer located within California marketed out-of-state to an out-of-state plant, and include it in the pool report as a diversion, or just take it, leave it out of the pool entirely, correct?

A. I think the answer to that is yes.

Q. Okay. Do you see that the disparate pool association opportunities for in-state and out-of-state milk under your proposal, might provide in California something like, instead of pool access fees, pool de-access fees?

A. I would say nothing is impossible in our industry, it seems, but I haven't really considered that.

Q. Okay. Would you agree with me that the men and women of AMS should carefully look at this proposal, like every proposal, for opportunities of inventive profit-driven marketers to exploit game or take advantage of the system to the disadvantage of others?

A. I don't think that's any different responsibility of the Secretary. We have pointed one out that would be much more likely than the scenario that you have described. Certainly to deliver milk to an out-of-state location in order to avoid being pooled would carry a substantial cost. And that cost might outweigh even the thoughts of doing it, even if it were possible.

Q. Okay. And finally, question or two about the Fallon

plant. It is a fairly new plant, correct?

A. It is.

Q. What's the capacity of the plant?

A. I think that's a proprietary. It is to me, but I choose not to answer.

Q. Okay. Is it operating at capacity at the moment?

A. It's not.

Q. How long has it been in operation?

A. I don't remember when it started. It's recent is the best I can tell you.

Q. Has that plant received milk of California Federal, originating on California dairy farms?

A. At times it has.

Q. Has that plant received milk originating at dairy farms located outside California or Nevada?

A. To my knowledge, it has not.

Q. Okay. Does the have enough capacity to accommodate milk from outside those two states?

A. Well, to the extent it can receive one pound, it could get them from somewhere, but to, as far as I know, up to now it has not done that.

Q. Okay. Have the receipts at the Fallon plant, if you know, included both milk that has been pooled and milk that has not?

A. Well, it has certainly received milk that has not been

pooled in California. I'm not aware of the other side of the equation, I don't know the answer.

Q. Thank you. That's all I have.

JUDGE CLIFTON: Before we continue with cross-examination of Mr. Hollon, I want to know if anyone has -- I want to know if anyone has arrived who would like to testify today? Yes. Would you come and identify yourself for us?

MR. FLUEGEL: My name is Roger --

JUDGE CLIFTON: Come forward, into this microphone.

MR. FLUEGEL: Hello, my name, your Honor, is Roger Fluegel, I'm a Visalia resident of California and a dairyman in California.

JUDGE CLIFTON: And how do you spell Roger and Fluegel?

MR. FLUEGEL: Okay. Roger, R-O-G-E-R. My last name, unusual to California, it's a German name, Fluegel, F-L-U-E-G-E-L.

JUDGE CLIFTON: So there are lots of Germans in California. That was a joke, right?

MR. FLUEGEL: Well, yes, that was a joke as far as in the dairy industry.

JUDGE CLIFTON: Right. We have Dutch, also, you know, that's even harder.

MR. FLUEGEL: I married one.

JUDGE CLIFTON: We're getting close to lunch.

MR. FLUEGEL: I understand.

JUDGE CLIFTON: Do you want to testify before we break for lunch or are you content --

MR. FLUEGEL: After.

JUDGE CLIFTON: After is good?

MR. FLUEGEL: Yes.

JUDGE CLIFTON: All right. Before we continue with cross-examination of Mr. Hollon, I want to know whether the rest of you want to break for lunch before we conclude that or whether you want to press on with Mr. Hollon? Break? A lot of people say break. I think that's a good plan. It is hard work what he's doing. All right.

So let's see, it's about 1:20, so what do you think? 1:40, is that good? All right, please be back and ready to go at 1:40.

(Whereupon, the lunch recess was taken.)

---o0o---

WEDNESDAY, OCTOBER 14, 2015 - - AFTERNOON SESSION

JUDGE CLIFTON: Back on record at 1:45. Now it's 1:46. I would like to invite Mr. Fluegel to come forward, please, and be seated in the witness stand. And after Mr. Fluegel has testified, I'm going to ask Ms. May to repeat the announcement about where the audio web cast can be found that website.

Mr. Fluegel, I'll swear you in in a seated position. Would you raise your right hand, please? Do you solemnly swear or affirm under penalty of perjury that the evidence you will present will be the truth?

MR. FLUEGEL: Yes, ma'am

JUDGE CLIFTON: Thank you. Please state and spell your name, and scoot a little closer to the mic if you would. You may want, because you are tall, you may want to position it a little differently. I think that will probably be good.

MR. FLUEGEL: I'll do my best. I have never testified prior to this, so hopefully you will respect my inexperience, I should say.

Good morning, my name is Roger Fluegel, R-O-G-E-R, my last name is F-L-U-E-G-E-L.

JUDGE CLIFTON: Thank you. Mr. Beshore, may proceed.

MR. BESHORE: Were we going to take Mr. Fluegel's testimony before Ms. May?

JUDGE CLIFTON: I think so.

/////

BY MR. BESHORE:

Q. So, good afternoon, Mr. Fluegel, and thank you for appearing here today. Do you have -- are you a dairy farmer in California?

A. Yes, sir.

Q. Okay. Do you have some notes that you would like to present for the hearing today?

A. I'm old-style, I handwrote this. It is not all computer-generated, but it's from the heart.

Q. Please proceed.

A. Okay. Ladies and Gentlemen, I appreciate the opportunity, most of all, I appreciate the United States Department of Agriculture for calling this hearing at the request of an overwhelming majority of my fellow dairymen in California.

I am unique and I'm a dairyman from California. I grew up in a small dairy in Illinois of 40 cows. I graduated from Illinois State University, received a Bachelor of Science degree. I then went on to work for the National Holstein Association as a field consultant. I covered a four-state region, Nebraska, Kansas, Colorado, New Mexico. After working there for several years, I was transferred to California via the National Holstein Association in 1989.

Continuing to work for National Holstein Association,

and then in 1992, '93, I ventured out on my own. The uniqueness part of it is, I'm marketing cattle where people would hire me to market cattle, to go out and find cattle for them to import to California from the Midwest. I continued to do that for several years, and other tasks, but mainly that was my main thing that I did.

In 1998, I formed a partnership with another gentleman, and started milking cows in Visalia, California. We continued do that and also started a calf operation. Continue to milk cows and have calves, I continued to market cattle, so on so forth, to the point where we kept doing that.

And then with my connections in the Midwest, in 2004 I invested into a partnership in a dairy in Minnesota, which is leading into my uniqueness. In 2010, I became a sole proprietor in my dairy, and I have a dairy now located where I lease a facility in Hanford, California, where we milk cows there.

My initial investment in Minnesota has grown to four facilities, South Minesse, South Minneapolis, North Mankato.

Having an interest in other areas has been very telling. As I continue to market the dairy cattle, it was interesting how the flow of cattle reversed. I brought cattle in, now I'm in a situation where I'm getting calls from people to help me find cattle, because I know they are leaving California.

It's an interesting contrast, but yet I think it is very telling to what's going on in the dairy industry in California. With this perspective of having a dairy in Minnesota and having a dairy here, it is my perspective that I can strongly, strongly say that I support, along with a major majority of my fellow dairymen, the proposal submitted to the Federal Order plan by the co-ops of CDI, LOL, and DFA. This group coming together has been unprecedented. I feel it has done a wonderful job in a theme to propose and help ensure that the dairy industry would be allowed on an equal playing field with the rest of the country. They have incorporated quota into their pricing, which is a significant part of the history and part of the dairy industry in California. If quota was not maintained, it would be devastating to me and a number of my fellow dairymen. I'm not sure what I would do to my bottom line.

As I mentioned, trends say a lot. People can say many things, yet where they go physically, will show you more than enough. When 75 to 80 percent of dairy replacement at current auctions leave the state, this is your future.

In the Midwest, there is a years' waiting list for dairy construction crews. Here, I don't recall how many years it's been since new construction of dairies. We need to realize that dairy industry is a significant part of California. It brings a significant part of the economic

balance within California representing 190,000 jobs. 190,000 jobs, as due noted by the economic impact report done by UC Davis in the May of 2015. Hence, for every 9.4 cows equals one job.

My point of making this statement is, it is not just a couple of Cooperatives, it is not just a couple of cheese plants, it's a society that California dairy has developed into.

The simple fact is, the industry is asking for a balance pricing compared to other areas in the country. I can do testify there is a significant difference from what I receive from my milk in Minnesota and what I receive from my milk in California. It is important to my fellow dairymen, it's important to our industry, and it is important to our communities. Thank you.

JUDGE CLIFTON: Mr. Fluegel, thank you. We'll now open the floor to questions of Mr. Fluegel. Mr. Beshore, did you have some specific questions you wanted to ask him before cross-examination?

MR. BESHORE: I do. And I -- Mr. Vlahos has a couple of questions also, so I would like to yield to him after I ask a couple.

DIRECT EXAMINATION

BY MR. BESHORE:

Q. Thank you for being here, Mr. Fluegel. Are you here on

your own initiative and voluntarily today?

A. I'm here on my own initiative and by support from fellow dairymen that seeked me out and asked for me to testify because of my uniqueness that I'm from the Midwest and I have investments in the Midwest, and I have an honest opinion and honest information as far as what's going on.

Q. So that's why you are here to testify?

A. Yes, it is my reason. I'm very involved in the industry, I believe in California, I believe in what they have done. I'm not one to jump just because things don't go your way one day, you work it out. And I have a passion for our industry and my community my family.

Q. Okay. You mentioned being employed by an organization that I don't think has come up in the hearing before, and I would like you to just identify, tell us what the National Holstein Association is, so that that's --

A. Okay. The National Holstein Association is a national organization that employs people to come out and being consultants for the dairymen throughout the United States. I would go and advise dairyman on management practices, I would advise dairymen on genetic selection, and just dairy procedures. I was a public relations individual that would help young kids, the dairymen to anywhere from 20 cows to 20,000 cows.

Q. Okay. So the National Holstein Association is for

dairymen who milk Holstein cattle?

A. Correct.

Q. What the National All-Jersey is to Jersey dairymen.

A. Correct.

Q. All-Jersey's come up here before, but Holstein hadn't, just bring that out.

A. Correct.

Q. Can you tell us just a little bit about your farms that you are a partner in in Minnesota, number of cows, how you market, and the same thing in California, just to give us a little more background?

A. I'm a member of California Dairies in California, CDI, in California. I milk a little over 1400 cows here in California. Minnesota, one operation's grown to four, of which the four operation there's one that exclusively Jersey and two of them that are exclusively Holstein, and then we have one mixed facility that we refer to as a special needs facility where all the calving is done.

Q. And how is your milk marketed?

A. DFA.

Q. Do you -- can you tell us for a recent period what the comparable prices you have been paid for milk in Minnesota operations versus California?

A. Kind of expected this question. So what I did is, I have the net price that I received on my two Holstein dairies

in Minnesota and my dairy in California. These are comparable, fat test, comparable protein, comparable somatic cell, pretty much like for like. The net proceeds difference was $3.25 a hundredweight.

Q. For when period of time?

A. For August of 2015. And if you incorporate my quota that I have purchased in California, you can add another 50 cents to the $3.75, and that's actual.

Q. So just so there's no question in the record --

A. That's net proceeds.

Q. That's after -- after hauling expenses, mailbox price, in essence?

A. That's what I received in the check.

Q. Okay. And the greater price the difference is greater price in Minnesota versus the price in California?

A. Yes, sir.

Q. Thank you. That's all the questions I have. I will yield to Mr. Vlahos with your Honor's consent.

JUDGE CLIFTON: Yes, and while Mr. Vlahos is coming to the podium, how do you spell Mankato?

MR. FLUEGEL: M-A-N-K-A-T-O, I believe.

CROSS-EXAMINATION

BY MR. VLAHOS:

Q. John Vlahos, representing the co-op of the proponents of Proposal Number 1. Good afternoon.

A. Thank you.

Q. I just have a few questions. You mentioned the, in your direct or your testimony that you just gave, the importance of quota to you. Can you tell us how much of your production is covered by quota?

A. I'm roughly, in California I purchased quota that's equivalent to approximately one-third of my production.

Q. In the quota that you purchased, your quota, did you purchase all your quota?

A. I purchased it over a period of time. Quota's an interesting scenario in that it is very definitive where you pay an awful lot of money for it, but it is still based on a return, based on cash availability, what interest cost is, and things like that. It's a -- I think it's been a really beneficial part component to the California Dairy Industry. As a matter of fact, you know, it would be devastating for me not to have it for all the money that I have invested in it. I can't imagine how I would go on.

Q. When did you first purchase quota?

A. I first purchased quota 15 years ago, and then I purchased it all the way up to 2010.

Q. You place the value of your quota on your financial statements, your balance sheet?

A. Oh, yes, if you have to owe people money, they want every asset that you have, of course it is directly affected on

me.

Q. And so you use your balance sheet, your assets, for your finances, correct?

A. Yes.

Q. Including the quota?

A. Yes.

Q. I understand that you have been involved in some way with the California Milk Advisory Board, sometimes called the CMAB?

A. Correct. I was elected by my peers within my district. I served one term, I believe it was 2011, '12, and '13. It's very important task once again, it is, you know, it's kind of my personal opinion that we need to be involved in an industry. I'm not a fan of people that sit back and do nothing, and you know, I believe in the industry, I believe in the cows, I believe -- I believe in the -- I believe in the industry, period.

Q. I'm sure that most of the people in the audience here are familiar with the CMAB, but would you describe what it is?

A. CMAB is the acronym for California Milk Advisory Board. It oversees the approximately $40 million of advertising budget that's in the promotion of California dairy products. The best recognized for the real California seal or label or trademark, of black and gold, with the cow and it says Real California on it.

Q. It is the thing you see on cartons of milk or cheese?

A. On cartons of milk, on advertisement, formerly known nationally for happy cow.

Q. Now, you indicated that the function of CMAB, in part, is to promote and sale of California dairy products. Does that include all kinds of dairy products?

A. All kinds. We promote a significant amount of cheese, fluid milk, powder, we promote it internationally and nationally. We sell products, or help promote the facilitation of products, I believe in all 50 states, even Alaska.

Q. And internationally as well?

A. And internationally as well.

Q. And what kinds of products are promoted nationally and internationally, just in general?

A. Quite honestly it's all of them. Ice cream, mostly cheese, butter, our fluid milk, quite honestly, is more on a closer geographical thing. However, we do promote our fluid product on high -- high temp, the name escapes me, but for foreign consideration as well. So I mean, it's a multiple of different ones. And then we promote it as far as California Dairy Research, as far as research and development and product and research, we have done that a number of times. I mean, we sell, help promote the -- actually, what we do is we take buyers with processors from California, and put them together. Help facilitate their merger to better adequately get

familiarized with their California dairy.

Q. Thank you very much. That's all I have.

A. Thank you.

JUDGE CLIFTON: Who would next like to question Mr. Fluegel?

CROSS-EXAMINATION

BY MR. ENGLISH:

Q. Good afternoon, Mr. Fluegel, my name is Chip English for the Dairy Institute of California. And I have, at most, a couple of questions, I may only have just one.

When you were responding to questions from Mr. Beshore, you talked about a difference between Minnesota and California of August 2015 that was $3.25, right?

A. Roughly, yeah.

Q. Roughly?

A. Depending.

Q. I'm not -- yeah. And but then you referenced something about if you take into quota into consideration quota, did I hear you say the difference would go up by 50 cents?

A. This is correct. What I referenced to, is, sir, if I may --

Q. Yes, sir.

A. I referenced to net proceeds per hundredweight of milk.

Q. Okay.

A. I have one-third quota is, of my milk produced,

one-third of it is based on quota.

Q. Okay.

A. California milk quota. In using rough figures of the difference what I receive as far as the, for one-third of my milk, and I brought it back out equatively, it would be approximately 50 cents. So if I did not have quota, it was all overbase, it would be roughly, my estimation $3.75, give or take a couple of pennies.

Q. Okay. That was what I was trying to clarify. Thanks. That's all I have.

#4: John Vetne. Representative for Hilmar.

CROSS-EXAMINATION

BY MR. VETNE:

Q. I just have a couple of questions on the Real California seal deal. It's true that most of the advertising promotion money that comes into the Board from producers has been used to promote California cheese products; is that correct?

A. I would say that's incorrect.

Q. What is most of it used for?

A. You used, you used the word most, and that's not a definitive number.

Q. Okay.

A. It is distributed between all the products, sir. And I can't define your word most for that. It's equally

distributed. It's the brand more of it is based on the brand of the real seal of California that's the logo. To be definitive on a specific product, is inaccurate in that I wouldn't agree with that.

Q. Okay. That's fine. And an objective is to -- is to increase the market for California-origin cheese products, for example, in other markets in the United States with the seal on it?

A. Once again, you are using the word definitive as cheese, and I would say it's definitive as far as marketing California dairy products. It's not definitive to cheese alone, it's not definitive to powder alone, it is on multiple different products. It is definitive of California produced products.

Q. The Real California is on the package of many products; is that correct?

A. I think that's a fair, fair and accurate description. Many products, many companies, many products.

Q. Many companies, many products, and many of which are marketed out-of-state to markets to the East, correct?

A. We market internationally, and we market domestically.

Q. Yes.

A. So a definitive direction? We market to all 50 states in the United States, and we market to, to my understanding, a number of countries. To be definitive on the actual number, I

cannot -- I cannot with quote that, I'm sorry.

Q. Okay. There are periodic reports or reviews submitted to the CMAB on the success of the promotion program; is that correct?

A. Could you rephrase the question? I'm not sure I understand it.

Q. The Board periodically receives information and analysis on the success of the promotion program?

A. The Board receives a personal perspective from individuals that are involved on their performance for a particular area, region, and/or product that's been defined by, I would say, their own personal perspective. But the actual performance is something that is a moving target.

Q. Yes.

A. So I can't, I don't think I'm really, I have been off the Board for a couple of years as of recent, but we have different things to say this is how much increase in product was to a particular area or a particular company. But that's the only thing, sometimes those are assumptions, but once again, with many companies, their amount of product or amount of sales is proprietary, so they don't share it with us. So to be definitive on that is very difficult because we don't ask companies, that I'm aware of, to provide proprietary information like that.

Q. Is the CMAB as an organization, does it have someone

collecting aggregate information so that the Board may observe and analyze, for example, increased share of the cheese market in Denver of milk bearing the California seal?

A. You are going to have, the general information we have is, to my knowledge, is not definitive to a market share in Denver or different ones. All we can do is measure the amount of products that we see on the shelf. We don't have the proprietary information of actually what volume of product leaves the shelf. My understanding is that we only know how much shelf shares that we have carrying the label.

Q. Oh, okay. So when a product is scanned at checkout, it gives you information on the origin.

A. Once again, that's proprietary by the companies. They don't tell us how much product they sold there. All we are, as in CMAB when I was on there, is we try and connect individuals in California, Hilmar Cheese, with the opportunity to sell product when we find someone looking for a product that Hilmar Cheese may carry.

Q. Okay. You are not familiar with the service that Nielson provides, analysis of scanned items and marketing share?

A. No, I'm not.

Q. Okay. That's fine. I'm from Maine, and in my neighborhood, Cabot cheese, Vermont cheese, is consumed a lot and in Vermont markets its, its origin as a premium, and

California does something similar through its Real California seal, correct?

A. To my knowledge, yes.

Q. Okay. Differences in California, if a manufacturer receives a load of milk from any out-of-state farmer, they are not eligible to bear that seal, correct?

A. I don't believe so.

Q. You do not believe so. You think it is a function of where the product is manufactured?

A. California dairymen's products, because we, as dairymen, I have to put in ten cents for California for promotions, so I would believe not, no.

Q. Okay. Then I have no further questions. Thank you.

JUDGE CLIFTON: Who next would like to ask questions of Mr. Fluegel?

CROSS-EXAMINATION

BY MS. TAYLOR:

Q. Good afternoon, Mr. Fluegel. This is Erin Taylor of USDA. I want to thank you on behalf of the Department for coming here today to testify and put your views in here as a California dairy farmer.

I have a question, well, just a few questions, but you talk about the price difference you see between what you receive from milk in California and what you receive for comparable milk in Minnesota. Can you just elaborate a little

on your opinion on why there's that price difference?

A. The formulas are very complicated, and so I'm getting above myself to be able to understand the formulas completely.

Q. Just a general, I don't need the technical, I understand, we don't need that. But your general opinion of why you see a difference?

A. The glaring problem, difference is, I would equate to the whey protein problem. That the whey pricing, I think that's the only thing that I see is a glaring difference between the price in California and the price in Minnesota. If I had one particular thing, I think that would be the glaring, if there's one particular thing.

Q. Okay. And the Department, in making its decision, has to look at the impacts to small businesses. And the way a small business is defined for a dairy farmer is $750,000 of revenue a year, which we have roughly equated to about a production of 315,000 pounds a month. Under that definition, would you qualify as a small business?

A. No, I'm bigger than that.

Q. Okay. Thank you. That's it.

A. But I would like to add, you know, in my testimony, in the sense that this is just a unit pricing for a hundred pounds of milk. And I respect the USDA's opinion, because I agree it should be considered whether you are milking 50 cows, 500 cows, or 5,000 cows. It is just a unit pricing that I think needs to

be justified. And I think it's -- it's equally important no matter what size dairy you are, if not more important for that dairy that don't have the efficiencies of a large dairy. I think it is most important for the smaller guy.

Q. Thank you. And again, thanks for spending time with us today.

CROSS-EXAMINATION

BY MR. VANDENHEUVEL:

Q. Geoffrey VandenHeuvel, G-E-O-F-F-R-E-Y, and the last name is V-A-N-D-E-N H-E-U-V-E-L. I'm a dairy farmer in Chino, California, and I do have a couple of questions here.

Really, first of all, thank you very much for testifying. And you also have unique, be it, you are in a unique position because of your knowledge of the way cattle move between California and the rest of the country, and maybe even the rest of the world, so I believe you testified that you were active in cattle movement back how many years?

A. 25.

Q. And so would you say back around 1990?

A. Yes, that's when I was moving cattle, that's how, one of the reasons I came to California, the National Holstein Association positioned me to be out here because of that.

Q. So how would you, were you personally involved in facilitating the movement of cattle from the Midwest into California as we were growing as a milk production state?

A. Loading the truck and unloading the truck.

Q. Did it happen very often where cattle moved the other way?

A. Rarely. Very rarely.

Q. So why do you think the cattle were moving from rest of the country to California?

A. At that time there was expansion in California where, you know, I consider it similar to water. Water goes where the needs, where it's less. And we had a great need of cattle in California, and I would buy cattle for people for that purpose.

Q. Would it be fair to say that one of the reasons it was a large demand for cattle into California is because it was perceived to be profitable to produce milk in California?

A. Yes.

Q. So we had some cost of production advantages that maybe weren't there to the rest of the country?

A. Yes, it was a situation where I think you had a combination of all the factors. What people don't understand, when I came to California I was enamored by the quality of dairymen we have here, the wonderful industry that was unmatched in the world. And when you take into consideration of what they have done and what they have accomplished, California's been a leader worldwide through their efficiencies and their quality of management and what they have done.

Q. So now that you have testified that the cattle are

moving the other way, what would you characterize, what do you think is the reason why this great influx of cattle to California, now has reversed course and now cattle are leaving California?

A. I think similar to my testimony, that a lot of times the physical movement is a true indicator of profitability. Where construction is done is where profitability, when they have money to do it. And, you know, I get calls from Colorado, I get calls from Kansas City, I get calls from South Dakota, many places requesting the ability of having animals, because they know animals are being sold once left and right out here from people that are no longer in business or going out of business that they can't maintain. And the number of people that are going out of business in the Midwest are quite limited so they don't have access to animals.

Q. So how do you think, how competitive now are California dairy farmers considering that cattle can move, you can put them on a truck, right? And ship them. How competitive are California dairy farmers competing for the cattle that we would need for our replacement purposes?

A. I would probably refer to my testimony that a roughly 75 to 80 percent of all replacements leave California when auctioned.

Q. So it makes it, it would be safe to assume, then, that California dairymen are no longer able to compete against

out-of-state buyers for those cattle?

A. I would agree.

Q. We talk, and those of us who lived this 2009 --

A. Yes.

Q. This was, was a year that will go down in all of our memories as probably the worst year that we have ever experienced.

JUDGE CLIFTON: Now, do you want to ask him if he agrees with that?

BY MR. VANDEN HEUVEL:

Q. Do you agree with that?

A. Yes.

Q. Okay.

A. Painfully, yes.

Q. Painfully, yes. I feel your pain. So was there a change in, in your experience in the attitude of the lending community toward the dairy industry as we emerged out of 2009 into 2010, 2011?

A. Significantly. Significantly changed. You had Bank of America withdrawing many of their accounts, you had Wells Fargo withdrawing many of their dairy accounts, significant number of the lending institutions no longer, no longer serviced and/or wanted dairy loans.

Q. Okay. As they began to react to what had happened, as the financial community reacted to the loss of profitability

that 2009 represented, were there instances that you are aware of where the financial, where the pressure on the dairy owners was to liquidate assets, particularly replacement programs, young stock cattle, calf and young stock replacement programs?

A. Yes, because, you know, definition of understanding dairy industry, you have to liquidate sale of assets that are not giving you return on investment. And a six-month old heifer does not give you any milk, so you need to put all your money and maintain your money in assets that are returning an investment. So they would sell those animals trying to reduce their debt to equity ratio.

Q. On average, what's been your experience that a dairy farmer calls and needs to replace just to maintain a stable milking herd?

A. Could you re --

Q. What --

A. What --

Q. How many --

A. A call percentage?

Q. Yeah, what would be the call percentage of -- what percentage of a herd would get removed from the herd and need to be replaced by younger animals, in your experience?

A. Generally speaking, it's between 40 and 45 percent, but it's relative to the management conditions and the environment and the intensity of the facility. So in rule of thumb, it's

40 to 45.

Q. Okay. So while you just referred to a six-month old heifer doesn't give a return right now because, how old would that heifer need to be before it enters the milking herd?

A. Roughly, rule of thumb is 23 to 24 months.

Q. Okay. So on an annual basis, you just said about 40 percent, thereabouts, of a herd would be called and need to be replaced by young stock. And so while the six-month old animal isn't ready to be part of that herd, because you said between 23 and 24 months old, the getting rid of it today means that 18 months from now that animal would not be available.

A. Exactly.

Q. So that, that farmer, that dairyman who had liquidated young stock, got a short-term bump in its relationship, but it didn't create an obligation to, would it create an obligation for that dairy farmer then, a year-and-a-half later to have to find a replacement animal?

A. Yes.

Q. And have you got any estimation, and there's no exact science, I'm not expecting exact number, but in your experience, what percentage of California dairy farmers were in that position in that 2010 to '12, '13 where they needed to liquidate their replacement programs?

A. What percentage?

Q. Yeah. If you just -- a guess?

A. It is a guess, I -- oh my goodness. It would be difficult for me to guess, but it is -- I would have -- I would prefer the opportunity to see the reduction number of dairies from 2009 to 2011. I think would be an accurate assumption of from 2009 to 2012, the number of dairies that are less in California would be highly correlated with the number of animals, people that were no longer in business. So I can't give you a defined --

Q. Understood. Understood. But the question is, was it one or two dairy farmers that had to liquidate heifer programs or was it a number that's significant?

A. The most telling part of that would be the maturity of the dairy, whether you had long-term, you know, if it is a facility that's 25 years old that had everything paid for, because a lot of dairies rather than do that were able to reinvest and borrow back against their land base. But if you had a younger dairy that did not have a land base, or didn't, they more than likely did. So if it was a dairy that was one to five years old, I would guesstimate half of those people did. If you had a dairy that was five to ten years old, maybe 25 percent. And if you had a dairy that was greater than ten years old, I would roughly say ten percent. If you are putting in, you know, or I had to answer it, that would be my estimation.

Q. That's very helpful. Because it, it raises at least

three questions, and I'll give you the three and then we'll see if we can unpack 'em.

One is, what happened to those young animals? Two is, what position is that farmer now who has to buy those replacements in, in regards to competing now, because they are in the market. So let's take those two.

From your experience, when a heifer program came up for sale because of a dairy farmer needed to liquidate it for financial reasons, do you have any sense of where those cattle ended up, those young stock?

A. Interestingly enough, in 2010, a high percent of them ended up at Harris Ranch.

Q. And Harris Ranch is what?

A. A beef facility. Most of those ended up being carne asada.

Q. Never to milk again?

A. Never to milk again.

Q. Never to have another calf and sustain a generation?

A. No, they didn't. And then other ones went out-of-state. There was also at that time a lot of export going on to foreign countries and Mexico and a lot of exports going on.

Q. So these animals which were born and raised in California, this young stock, and there to fuel our and sustain our growth, would it be right to say they really permanently

exited the California milking herd?

A. I would agree.

Q. Them and their progeny?

A. Yes.

Q. So with that being said, that they are no longer here and available to be purchased, the dairy farmers now who has liquidated that is in a position where that dairy farmer has to go into the market. And as you earlier testified, as the replacement markets take place, and -- how are replacements purchased and sold in California today?

A. By the head.

Q. By the head. In auctions, by treaty?

A. All of the above.

Q. But there's a competition for these animals?

A. Yep, the definition of supply and demand.

Q. And so the California dairy farmer's ability to compete for those animals is, they need them, but they have to compete with whoever whatever other buyers might be in the market?

A. Sure.

Q. And your testimony is, is that about 75 percent of these replacements, even within the state that become available, your experience is that they are being sold to buyers out-of-state?

A. Correct.

Q. Well, that is certainly a situation that is different

than what we experienced in years past.

A. Correct.

Q. And one that sounds distressing to you?

A. Concerning. I mean, I have been involved in, I have invested 25 years of my life in California, and I, you know, I have a daughter that's a Sophomore and a daughter who is a Senior, and it's not my desire to move.

Q. As you look at the future for California, given the reality of where we are, if someone were to project that California was going to continue to increase three percent, two and a half, three percent in production per year under the existing economic situation that we find ourselves in, what would you think of such a projection? I mean, out, say for the next ten years?

A. I think it would be very foolish because we don't, we have a number of factors that's going to hinder our ability to increase production. And our pricing is one. We have other factors that come into play, in my opinion.

Q. No further questions.

JUDGE CLIFTON: Who next would like to question Mr. Fluegel? Mr. Fluegel, that was compelling testimony, I thank you.

MR. FLUEGEL: I thank you for the opportunity, your Honor.

JUDGE CLIFTON: You're welcome.

Ms. May, would you come do your announcement about

where the webcast can be found now?

MS. MAY: No change since this morning, but just so you know, the new link for the audio feed is at www.ams.usda.gov/live.

JUDGE CLIFTON: Thank you. Is there anything else preliminary to Mr. Hollon resuming the stand? There is not. Mr. Hollon, welcome back. Mr. English?

CROSS-EXAMINATION

BY MR. ENGLISH:

Q. Good afternoon, Mr. Hollon.

A. Good afternoon, Mr. English.

Q. And do you have Exhibit 1 with you, those of the hearing?

A. I do.

Q. So I may have misheard when you were being questioned by Mr. Vetne, in which case, if we clear it up that's fine, or maybe we need to clear it up.

He was discussing with you the issue of milk and touch base. And I thought I heard you say that the touch base requirement is for a 7(a) or (b) plants. Did I hear correctly?

A. The touch base requirement that's in --

Q. Proposal 1?

A. Yes, but in 13(d).

Q. Yes.

A. So that requirement says, "a producer is not eligible

to diversion unless five days production of such dairy farmer physically received his producer milk at a pool plant --"

THE COURT REPORTER: I'm sorry, can you read a little slower? Thanks.

MR. HOLLON: "Milk of the dairy farmer shall not be eligible for diversion until at least five days production of such dairy farmer is physically received as producer milk at a pool plant during the first month the dairy farmer is a producer."

BY MR. ENGLISH:

Q. So --

A. I'll continue, though.

Q. All right.

A. And then skipping down to 2, the diversions are limited to 50 percent of the producer receipts, and that 50 has to be delivered to plants described in 7(a) or (b).

Q. So I -- I was --

A. Is that what you are asking?

Q. Well, I was trying to get at one first. And I may have -- I may have misheard or maybe -- maybe between and you Mr. Vetne got a little confusing. The physical touch base requirement of five days is a -- leaving aside diversion rules for a moment, it is a pool plant, correct?

A. Correct.

Q. Which could be any pool plant?

A. Yes.

Q. Not just a 7(a) or 7(b) plant, correct?

A. Correct.

Q. Now, the diversion --

JUDGE CLIFTON: Mr. English, just so the record helps people find this, in Exhibit 1, what is the Federal Register page number you are on?

MR. ENGLISH: He and I are on page 47213.

We're in Section 13, and for the Federal Register purposes, he was reading the first two paragraphs of Column 2 of 47213, or was referring to. All right.

BY MR. ENGLISH:

Q. So just for clarity, and again, if I misheard, I apologize. The initial touch base program you can't divert at all until the production has been received five days at any pool plant, correct?

A. Correct.

Q. So now going to paragraph 2. This is about the quantity of milk diverted as opposed to before you can divert, correct?

A. Correct.

Q. And I am a little confused, so I just want to walk through it, because you have two 50 percent rules. You have quantity of milk diverted by a handler described in the 1000.9(c), so a Cooperative -- may not exceed 50 percent of the

producer milk received reported by the handler pursuant to 1051.30(c).

Now, before we get to the proviso, well, okay -- here's the proviso -- provided that not less than 50 percent of such receipts are delivered to plants described in 7(a) or (b). So let me just use an example. Let's say you have a hundred million pounds of milk reported by the handler pursuant to .30(c).

A. Okay.

Q. I take it the first 50 percent means that no more than 50 million pounds could be diverted?

A. Provided that --

Q. Okay.

A. -- 50 million were delivered to a 7(a) or (b) plant.

Q. Okay. That's what I'm getting at. I just want to make sure, I wasn't sure if the 50 percent was multiplied by 50 percent, so then what you are saying is, if you divert 50 million of a hundred million, that 50 million would have to actually be delivered to an (a) or (b) plant.

A. Correct. A one for one diversion; is that fair?

Q. Yeah, that's fair.

A. Okay. Fair understanding, let's put it that way.

Q. I was just trying to make sure for the record that is wasn't something else that you multiplied 50 percent by the 50 percent and get a different result, but that's not what you are

intending, correct?

A. No, it is not.

Q. Now, paragraph 3 is written using different verbiage, but assume for a moment the same hundred million pounds. And this now has the, to do with the diversion by the operator of a pool plant in (a) or (b). Would it work out the same way that of the hundred million pounds, 50 million have to be received at the (a) or (b) plant and 50 million can be diverted?

A. The intent is that.

Q. Okay. So even though it is written differently, your intent is for the result to be the same between paragraphs 2 and 3?

A. That is correct. I would say broadly that our intent is for milk outside the marketing area, that it be allowed to be pooled if it meets the standards, but the standards are set high in order to assure that there is a need for the milk above and beyond just attempting to associate with the pool.

Q. Okay. Thank you. Now, my other set of questions directly related to the questions asked by Ms. Hancock. And that has to do with, you know, prior producer-handler proceedings, and the issue of exempt quota in this proceeding, just to set the stage.

A. I understand.

Q. You participated in the National Producer-Handler Hearing, correct?

A. I did.

Q. And there was a proposal submitted at least by Mallorie's, M-A-L-L-O-R-I-E-'-s, that when the proposal from the Cooperatives and the proprietary operators was that once you get 3 million 1 pounds, you were fully regulated, correct?

A. Yes.

Q. Okay. Do you recall the Mallorie's proposal would be that your first 3 million pounds, if you qualified as a producer-handler, would still be exempt, and only the pounds above 3 million pounds would be regulated.

A. I don't recall that, but I would not be at all surprised if that's what they submitted, and that's not our intention. Our intention would be, in your example, 3 million and 1 pound would be fully regulated.

Q. Right. If that issue was a proposal, the Department obviously rejected it, correct? Because that's not what's in National producer-handler language throughout the Federal Orders, correct?

A. Correct.

Q. Now, based upon your knowledge, the exempt producer-handlers in California, each would have more than 3 million pounds of exempt quota; is that correct?

A. I don't know that.

Q. You don't know. Do you understand that the California exempt producer-handlers purchase significant, I know you don't

like that, they purchase volumes of milk from outside sources. Do you know that?

A. I don't know that. I don't deny it, but I don't know it to be true.

Q. If it were the case that they purchase milk from outside sources, regardless of the 3 million pound provision, they wouldn't qualify under producer-handler rules if there was more than the 150,000 pound limit?

A. That is correct.

Q. Thank you. That's all I have.

CROSS-EXAMINATION

BY MR. VETNE:

Q. John Vetne for Hilmar Cheese Company. Just one question in your exchange with -- one area of questioning.

You were talking about outside milk and standards. And I wrote down "outside milk can be included in the pool if it meets pooling standards, and the standards are pretty high."

A. I think that's, you know, if that's not exactly what I said, it is close. I would add the qualifier that outside, in that context, means out of the marketing area?

Q. Yes.

A. Okay. Fair enough.

Q. Yes. Harkening back to pooling standard discussion in prior hearings. Do you recall that an issue in one of the Mideast hearings was that milk from Wisconsin and Minnesota

qualified to be in the pool because there were transactions within the Mideast that satisfied the performance standard for an organization?

A. I think you are going to have to give me some more detail.

Q. Like, percentage of -- of a Cooperatives delivery to distributing plants in order to qualify for diversions, all of the deliveries to the distributing plants could take place in Ohio, for example, and all of the diversions would take place in Minnesota or Wisconsin, so you have in-area qualifying behavior leveraging out of area pool qualification.

A. Good description, and that is not our intention here.

Q. But, in fact, your proposal allows in-area performance of an institution or organization's delivery to 4a to purchase 7(a) and (b) plants the 50 percent rule, to qualify producer milk for diversions, whether it's diversion in-state or out-of-state milk. So in-state performance can qualify a volume of out of market milk, limited only by the volume of milk that is sold to 7(a) and (b) distributing plants.

A. If that's the way that you read it, that's not our intention. So if we need to reword that in some way, we would.

Q. Okay.

A. That performance was solely based on the out-of-state pooling handler meeting those requirements. So we did not intend for the description as you described in-area activity to

qualify out of area milk.

Q. Okay. An out-of-state pooling handler can be a handler that has raw milk marketing operations both within and outside of California, correct?

A. Could be.

Q. Such as -- and DFA meets that?

A. Could be.

Q. It could be that DFA has milk inside and outside California? It is true, isn't it?

A. Yes, that part is true, but I was following your question of what could one be.

Q. Okay. So an organization like DFA that has both in-area and out-of-area producer milk to market, can qualify out-of-area milk based on in-area performance?

A. Again, I'm not sure that I think the proposal language reads that way, but if it does, that's not our intention.

Q. Thank you.

JUDGE CLIFTON: Mr. Miltner, you may come forward.

CROSS-EXAMINATION

BY MR. MILTNER:

Q. Ryan Miltner for Select Milk Producers. I guess the benefit of going toward the end is hopefully I'm more focused and shorter.

A. I hope you are correct.

Q. I hope so, too. Mr. Hollon, you have your statement up

there? Exhibit 63?

A. Yes, sir.

Q. Okay. I'm looking at the very first paragraph, the last line, and you state there that your proposal intends to restore equity and fairness to both producers and handlers, and I want to jump off from there.

A. Okay.

Q. You were present during Dr. Erba's testimony and cross-examination, correct?

A. Actually, I wasn't. I'm sorry, but I was not in the room at that time.

Q. Okay. My questions tie somewhat into his testimony, so maybe I won't be quite as focused and short as I had hoped.

There were several questions asked of Dr. Erba regarding the treatment of out-of-state producers and their ability to participate in the California quota program. And you would agree that farmers located out-of-state, the milk produced out-of-state is completely ineligible to own or receive California quota prices?

A. I would agree.

Q. And would you agree then, also, that the out-of-state producer would necessarily receive a price lower than any producer holding California quota?

A. Yes.

Q. In that sense, would you -- would you conclude that

those two producers are receiving equitable prices?

A. Well, they are receiving the prices that are set by the regulation, so I would have to come to the end and say that was the goal and target of the regulations, so they are receiving an equitable price as defined by what the provisions say.

Q. Okay. I'm a little confused by that answer. Are you saying that, that any producer receiving a regulated price is therefore, receiving an equitable price?

A. In this case, that's what the provisions allow for, so yes.

Q. Okay. You obviously were intimately involved with the drafting of the proposal and the regulatory language, correct?

A. Correct.

Q. In preparing the proposal and, in specific, the regulatory language, did you consider the establishment of a separate pool for out-of-state milk that would be paid before California quota holders were paid?

A. We discussed it, yes, we did.

Q. Okay. Could you share with us perhaps why that option was rejected by you or the proponents? I don't mean to pin it entirely upon you.

A. Fair enough. We discussed the pro's and con's, the, I guess the comparisons, the history, and felt like that this was the route that we wanted to choose. So --

Q. I asked Dr. Erba something to the effect of, would the

proponents of Proposal Number 1 consider modifying the proposal or considering an alternative proposal to establish a separate out-of-state pool that would be paid before quota holders were paid? And at that time he said he could not answer the question, that it would require him to consult with others. Would that lead up, is that a situation that you can address?

A. We have not consulted as of yet.

Q. Do you anticipate being able to consult before the hearing concludes?

A. Possibly. We would, I think as you described earlier, would have to listen to the rest of the testimony and perhaps we may have an opinion on that.

Q. Thank you. I would like to move to page 5 of Exhibit 63, and if you would just review the last sentence of the second full paragraph, it reads:

"Because of the likely frequency of depooling and the attendant negative impact on marketing conditions, our proposed pooling provisions are the only solution."

A. Yes, I see that sentence.

Q. Okay. So am I correct that you're qualifying your characterization of mandatory pooling as "the only solution" as a limitation, you're limiting that characterization to the unique situation of the California market?

A. Yes.

Q. If there were no California quota program, would you

expect there to be other alternatives to inclusive pooling?

MR. BESHORE: May I, your Honor?

JUDGE CLIFTON: You may, Mr. Beshore.

MR. BESHORE: I just want to object to that kind of hypothetical, which is obviously not in the realm of possibility. And I don't know why it's important to have that kind of hypothetical speculation.

MR. MILTNER: Your Honor, if I could address that for a second.

JUDGE CLIFTON: Yes, let me hear from Mr. English and then I'll hear from you, Mr. Miltner.

MR. ENGLISH: I just want to refer back to last week and --

JUDGE CLIFTON: Your name?

MR. ENGLISH: Chip English. I apologize, I hadn't forgotten it, I forgot to give it.

Harking back to last week and the discussion we had about experts and the opportunity to provide, under the Rules of Evidence, which, yes, they are looser with respect, or at least more generous in these proceedings, nonetheless going back to Mr. Vetne's sort of cautionary thing. The purpose of, one of the purposes of an expert is to give opinions on hypothetical situations. That's part of what they are there for. And they are allowed to do that when lay witnesses can't. So if we're going to have any of these kinds of distinctions, then the question that Mr. Miltner asked is completely

appropriate just because that's what experts do, they give opinions, even about hypothetical situations, with which some of us, or others, may not agree.

JUDGE CLIFTON: And now, Mr. Miltner, I would like to hear your response to the objection.

MR. MILTNER: Well, by letting Mr. English go first you shortened my comments on this.

The only thing that I would like to add is that the witness has said that the uniqueness of the California situation has limited their ability to offer alternatives to inclusive pooling. And so I would like to explore briefly some certain aspects of the California market that could shed some light as to why this admittedly unique and unprecedented, dare I say, option, is the best alternative.

JUDGE CLIFTON: All right. So as I understand your question, you want to know whether, if there were no quota, he would still feel that way.

MR. MILTNER: I would like -- I think that's very important. Specifically, what I would like to know is, in the absence of quota, would there be possible alternatives to inclusive pooling?

JUDGE CLIFTON: You may answer.

MR. HOLLON: There may well be, but I don't know how to evaluate that because I can't -- I can't come up with a situation where there's not a quota program.

BY MR. MILTNER:

Q. And I will accept that, but I guess, were there no quota program, it certainly would remove some of the constraints you saw, and your group saw, in drafting this proposal?

A. That would be true.

Q. And maybe these were your words, maybe they were someone else's, but either in testimony or in publications, the quota program was described as a non-negotiable aspect of Proposal 1, correct?

A. True.

Q. And I guess it almost becomes a totalogy, if the quota is non-negotiable, then that includes the pooling is a non-negotiable aspect of your proposal, correct?

A. For our proposal, yes.

Q. And -- and at the risk of asking a question I think everybody knows the answer to except the record, DFA operates in all Federal Milk Marketing Orders, correct?

A. No.

Q. No?

A. No. We don't operate in Order 131.

Q. Ah, forgot that. Thank you for clarifying that. But obviously, the vast majority of the Federal Orders?

A. In that case, a measure is correct.

Q. As part of your job is to be familiar with the

marketing conditions in all the Federal Orders?

A. Yes, I try.

Q. Would you say you are intimately familiar with them, with the exception of Arizona?

A. I would say I'm reasonably familiar with marketing operations in all of the orders.

Q. Okay. So taking into consideration the marketing conditions in areas other than California, would inclusive pooling be an undesirable option in the orders in which DFA operates?

A. I don't know completely the answer to that. Certainly the performance standards which pooling falls under, are put together, crafted based on conditions in each order, and submitted as proposals and agreed to by the majority of the producers in the order. So you know, would tomorrow there be a desire for an inclusive pooling provision in the Southwest order? I don't know. And I don't know how the other participants would respond to that, so I can't give you a definitive answer.

At this point, I would say we have no plans to introduce an inclusive pooling provision at this time in any other order. And so it is only proposed at this point in time in this order.

Q. Thank you. I don't have anything else.

JUDGE CLIFTON: Mr. Hollon, can you review for me some of

the other factors why California's situation is unique, besides the presence of quota with regard to marketing?

MR. HOLLON: I think, I don't know how many of them I will be able to give you, but certainly another one is the high utilization of Federal Order Class III and Class IV, and no other Order has as high of both of those uses as does California. So the incentives to pool, as we have tried to outline, would appear to us to be many, many, many times, one or the other of those two use classes would be incented to not pool. And that would be, if that were the rules, that would be a prudent decision to make. But the end result would be pretty unwielding. It would be very difficult to run a marketing program knowing every month your minimum price to blend price was going to be impacted by a large amount of milk opting in or out.

And so certainly, as you mentioned, the presence of quota; the abilities to regulate large producer-handlers are something that going forward, we would say would be uniform; and the ability to deal with milk and, in this case, it's either from outside the state coming in, or inside the state going out, or fluid milk distribution coming into the state would be regulated on an equal or on a uniform basis across the country.

California doesn't use the same prices, formulas, dates of making decisions, as the other orders, and the rest of the

Federal Orders, so that creates disparity in marketing conditions, as I outlined in the first testimony.

I'm sure that in the middle of the night I'll say, gee, I should have added this other reason, but right now I'm going to end.

JUDGE CLIFTON: I believe you talked about the borders of California having an impact, how it's geographically situated in the world.

MR. HOLLON: Well, no other -- well, that's not true. The Pacific Northwest Order does border the ocean. But as a general rule, California milk is somewhat self-contained, there's obviously none produced to the West and none processed to the West; to the North there's not a lot of milk movement, very, very little between Oregon and California; to the East, there is more than to the North, but not much milk movement between Nevada and California; and between Arizona and California there is, there has been more milk movement, there is not as much today. And there is, in our view, a fairly substantial pooling milk processor there that would be advantageous, in our opinion, to have Federal Regulation because it would impact that competitive situation.

JUDGE CLIFTON: And when you say there, there is a milk processor there.

MR. HOLLON: In Arizona, that is beyond the reach of the Federal Order system.

JUDGE CLIFTON: Thank you. Who next would like to -- oh, see, now I have just sparked a lot of interest.

Mr. Miltner first.

MR. HOLLON: I was afraid of that.

CROSS-EXAMINATION

BY MR. MILTNER:

Q. Ryan Miltner.

The handler you referred to in Arizona, you stated that he is outside, it is outside the reach of Federal Regulation.

A. Outside the reach of the state regulation.

Q. Okay. That was not, I think, what was, what came out of your mouth.

A. What did you write down, Judge Clifton?

JUDGE CLIFTON: I wrote, "in Arizona, beyond the reach of Federal -- "

MR. HOLLON: That was incorrect.

JUDGE CLIFTON: Federal something.

MR. HOLLON: It is beyond the reach of state regulation so the state cannot regulate that out-of-state environment.

MR. MILTNER: And specifically, you are referring to the ability of California to regulate that handler.

MR. HOLLON: Correct.

JUDGE CLIFTON: See, it's good to have them.

MR. ENGLISH: Chip English. Well, Mr. Miltner got most of the way there, but just to be abundantly clear, that plant is

subject to Federal Regulation, and it is presently regulated by the Arizona Federal Milk Marketing Order, correct?

MR. HOLLON: My understanding is, that is correct.

MR. ENGLISH: Thank you.

Well, as to its sales in California, correct?

MR. HOLLON: Yes.

MR. ENGLISH: I understand it has sales in California, if it is regulated under Arizona, it is because of the Milk Regulatory Act, correct?

MR. HOLLON: I would agree.

JUDGE CLIFTON: Who next has questions for Mr. Hollon?

Oh, before you redirect, Mr. Beshore, from USDA.

CROSS-EXAMINATION

BY MS. TAYLOR:

Q. Erin Taylor. Good afternoon.

A. Good afternoon, Erin.

Q. I'm going to preface this with I did not have a privilege of reading your statement while you read it into the record last week.

A. You mean you weren't listening?

Q. I was listening, but I didn't have the papers to look at at the same time, which makes it a little bit more difficult.

A. Correct.

Q. So some of my questions I hope to make sure things are

clear in the record, and hopefully won't be too repetitive. I have attempted to clarify as much as I can without having to ask you all my questions.

A. It's so interesting how everyone says that as a preface to their statement.

Q. Okay. Let's see. I'm going to, can we go to Exhibit 64, I think it is, your tables?

A. Yes.

Q. Okay. So in Table 5.A you have the different California State Prices, Class 1 being that kind of weighted price that you derived since you didn't have a State Class 1 price?

A. That is correct.

Q. Okay. And so these class prices, are they what you use then, in Table 5.C? When you --

A. Yes.

Q. -- came up with the blend, you took those utilizations in 5.B multiplied by the prices in 5.A, to come up with your California State blend and Federal Order blend in Columns H and I?

A. That is correct.

Q. Okay. And, okay.

A. So let me make clear for the purposes of the California calculation, there was a Class 1, 2, 3, 4a, 4b, so that would result in five multiplications.

For Federal Order there's one, which was a weighted; 2, which was a weighted; and I also included 2 and 3; and then Class 3 and Class 4, so there would have been four. Okay.

Q. Okay. I think I got you there.

A. Thank you. I'm glad you are done.

Q. No, I'm not done. Let's see. On Table E, 5.E, can you -- and I think that I would have, I know the answer if I had it in front of me on Friday, but can you just explain what columns you added or subtracted to get K, L, and M?

A. So if you were to take Column C, and add H, I, and J, and so, for example in H you would be adding a negative number, and then you compare that to the respective columns E, F, and G, the respective 2, the respective 3, the respective 4, you should end up with K, L, and M.

Q. Okay. So K, for example, is that C, plus H, plus I, plus J, whatever that number is, minus Column E for Class 2?

A. Yes.

Q. And that gives you a negative 89 cents?

A. For what of the months?

Q. For January, the first column?

A. January of?

Q. I'm sorry, I'm on the first page of that table, so for January of 2000 --

A. I trust you ran your finger across straight, so yes.

Q. I want to turn to your statement on page 2.

JUDGE CLIFTON: We're now in Exhibit 63.

MS. TAYLOR: I'm sorry, 63.

BY MS. TAYLOR:

Q. Okay. I think you just answered my question there, so, on page 3, actually, third paragraph down, you note the different use averages. I was trying to think what table that's from. But I know where all those are on your table, except that the numbers are below the 12 percent average for all Federal Orders. This is the Class 2 use. I'll read the full sentence: "Class 2 use, which is combined California State Order Class 2 and 3, Columns D and E, averaged 8.69 percent, which is below the 12 percent average for all Federal Orders."

Is there any -- I don't see that number in your table.

A. I don't thin that number is in here, I think I got that from another source.

Q. And that would be over that same time period, 2000, July, 2015?

A. I actually don't recall.

Q. Okay. Just want to make sure I didn't miss it somewhere.

A. You didn't miss it on something that I said Thursday or Friday.

Q. You, also on your tables, have adjustments for quota, transportation credits, and the RQA's, and those were, you list

them out, page 6 of your testimony. Maybe we covered this, but you talk about 9 cents for your transportation allowance. Where did that number come from?

A. I took the 2015, either January through June or January through July, and averaged the numbers to try to get a recent proxy.

Q. And that's based off CDFA?

A. The monthly pool settlement statement from CDFA, which is available on request.

Q. Sorry, I have lots of notes, which you have answered many of them already.

On page 13, this is in regards to the provision on the plant in Churchill County. In your text you talk about the producers in this, in Nevada have been affiliated with the California market for many years, until, and ship milk to the, a distributing plant in California?

A. No, the plant itself is in Reno, Nevada, and it has distribution in California.

Q. And can you just elaborate on for how long? Many years can be defined by people differently.

A. I think when our producer, Pete Newell, testified -- Olsen, I'm sorry -- Pete Olsen testified, I think he was two or three generations of relationship.

Q. Okay. On paragraph E, when we talk about supply plants outside the marketing area have a shipping percentage of 50

percent.

A. Yes.

Q. Can you just elaborate on why you all chose 50 percent? Why is that the right number?

A. Again, our thought process was that if, well, let's start the other way.

To my knowledge, an Order can't, by fiat, say, you can't be in and you can't be out. So there needs to be some type of identifiable marketing relationship. And we felt like that California's, if there was a need for milk from outside the marketing area in California that could be economically justified, that it should be allowed to be a part of the pool. But we think that needs to be a very high hurdle to do that, and so we chose a high hurdle.

If that requirement can be met, it would require a pretty strong economic justification, there would need to be a certain amount of balancing that goes with supplying the market, there's a certain amount of transportation that goes with supplying the market, and so we simply wanted a high measure in order to say, yes, the supply plant which by our definition could only be outside the area could be associated with the pool.

Q. Okay. But the number is not based on any observed current marketing relationships, and therefore, the Department, therefore, if the Department or the Secretary looked at the

hearing record and thought perhaps a different high number or a low number was appropriate, you are not necessarily -- I'm trying to get at, the 50 percent isn't based on necessarily observed marketing relationships as a justification, you just want the number to be high so there's some type of hurdle?

A. We want the number to be significant so that it would be, so economics would justify it. If it were low, that may not be the case.

Q. And is there a place in the order language that allows the Market Administrator to adjust that particular --

A. Yes.

Q. -- shipping percentage?

A. Yes.

Q. Okay. Lower down you talk about for 70, you don't -- I'll read your sentence: "Also, we do not want to allow concentrated milk transferred from the supply plant located outside the marketing area to distributing plant, to be part of any computation made to determine if the supply plant can meet the requirements of this section."

A. Yes.

Q. Can you just elaborate on the why behind that sentence?

A. Again, going back to the significant hurdle, if you will, the significant provision for association. We think that would be a way to make it less significant, if you were to use the condensed product as opposed to shipping raw milk.

Q. And Section 12, Producer, Paragraph C?

JUDGE CLIFTON: What page?

MS. TAYLOR: I'm on page 20 of Exhibit 63.

JUDGE CLIFTON: Thank you.

BY MS. TAYLOR:

Q. Paragraph C talks about, I'm terming this in-area diversion. Would that be correct? From one pool plant to another pool plant where typically in other orders we talk about that movement as a transfer, but we're talking about a diversion because the milk doesn't have to go to the first pool plant and be unloaded and then reloaded and shipped to another plant.

A. I would agree.

Q. Okay. And that should be priced at the final plant where that milk lands?

A. Yes.

Q. Okay. And so then the Paragraph D is out-of-area diversions to a nonpool plant, because a nonpool plant, except for a small exempt plant, would be located, can only be located outside of the marketing area, correct?

A. Correct.

Q. Okay. And then in D.1 on the five-day touch base standard, these might seem repetitive, but I want to make sure the record is clear that why you all chose five days and not necessarily ten days or whatever.

A. Again, looking at the, I guess, possibilities, we felt like five days would be an appropriate standard to demonstrate need, it does give you some amount of day-to-day, week-to-week balancing if that's the case. And yet again, for the situations where we think that might be a possibility, five days would be a pretty significant transportation function if you had to do that.

Q. Okay. I think Mr. English helped clarify a lot of my diversion questions on the diversion limits, but then -- a 7(a) plant, for example, is a distributing plant. It could be located inside or outside of the marketing area, and there was talk of --

A. Yes.

Q. -- whether in an area, Mr. Vetne talked about whether in-area shipments can be made to qualify out-of-area milk, because an in-area could ship to an in-area 7(a) plant, and then qualify, somehow qualify out-of-state milk to pool. Do you remember that?

A. Yes, he had that, we had that line of discussion.

Q. But is it your intention that all California plants located in California would actually qualify according to paragraph C? So really, which is any plant receiving milk in California?

A. I'm not sure I follow your question.

Q. I'm trying to clarify what -- because you talked about

you didn't want in-area milk to qualify out-of-area milk. So I was trying to see if really a 7(a) or 7(b) plant -- not 7(b) but 7(a) -- plant really only was applicable to plants, distributing plants, located outside of the marketing area. Because a distributing plant, for lack of a better word, located inside the marketing area would actually qualify under paragraph C, which is just a pool plant. And so you couldn't use shipments to in-area pool plants to qualify out-of-state milk.

A. That is correct. That was in order to, if you want meet to the touch base requirement by shipping to a pool plant, you could, but you wouldn't really earn any diversion ability, and you would have to still go to five days to a 7(a) or 7(b) plant in-state in order to do that. So a farm in Arizona couldn't divert to a handler, or couldn't deliver to a fluid distributor in Arizona and meet their requirement.

Q. But a 7(a) plant doesn't have to be located in the marketing area?

A. In order to meet the diversion requirement, that was our intention.

Q. Okay.

A. Or out-of-area milk.

Q. In I'm on page 23, Section 13, paragraph F, and this is your repooling limits of 115 percent. In your text you say: "Section 1051.13(f) regulates the volumes of milk that this

type of handler." Can you just elaborate on what "this type of handler" means?

MR. BESHORE: I'm sorry, what page? I missed that.

MS. TAYLOR: Page 23.

MR. HOLLON: So this type of handler would be a supply plant, which, by our definition, would be located outside the marketing area. So that would be the "this type of handler."

BY MS. TAYLOR:

Q. On the next page 24, when you are talking about Grade A milk and market milk, and since USDA were not that familiar with the market milk definition as defined by CDFA, could there be an instance when milk could be defined as market milk but not Grade A milk?

A. I am not totally aware, but I don't think so.

Q. Okay.

A. But I don't, I don't have every instance nailed down.

Q. Okay.

A. So that, I think that's one of the reasons why we put this section in was to say that they are intended to be equivalent.

Q. Okay. I just want to make sure if there is some instance where that could occur, then I guess that's something that USDA would work with CDFA to have that data sharing information, to make sure we knew all the milk that qualified to be pooled in the Federal Order?

A. Correct.

Q. Okay. I think that's all I have.

A. You reserve the right to come back.

Q. I reserve the right to have more questions later.

JUDGE CLIFTON: I can't imagine having absorbed Mr. Hollon's testimony on the audio feed without the exhibits. I think you are amazing.

Mr. Beshore, before redirect, I would like to take a break. Thank you. Let's have you come back at 3:40, 3:40.

(Whereupon, a break was taken.)

JUDGE CLIFTON: We're back on record at 3:43. I had a thought just trying to picture what it must have been like for Ms. Taylor trying to absorb all this information remotely when she was working in the office in Washington DC.

If when you come to the hearing with a new exhibit, if you can provide a PDF of that exhibit to Ms. Laurel May, she can transmit it to those on her team who may be monitoring from Washington DC so to the extent that's easy for you to do that could be a big help. So her e-mail is easy, it's Laurel.May@AMS.USDA.GOV. And the reason I suggest you forward it to her is she's in this room and you will be in this room, and so if there are any communications that need to take place, alerting her that you have a PDF of an exhibit coming her way, that would be great.

She is also in touch with people who are on her team

who are working from headquarters, so I think that could be very helpful. I wish everyone listening by audio feed could have the exhibits, but when we talked about trying to do it, we just thought logistically, USDA can't do it. We can't respond that quickly. So I feel for everyone trying to do it by audio. I am particularly aware of the need for the AMS team to be able to absorb the material as we go along.

So that's Laurel, LAUREL.MAY@AMS.USDA.GOV.

Now, Ms. Taylor, did you think of any other questions that you wanted to ask before redirect?

MS. TAYLOR: I did.

JUDGE CLIFTON: Oh good. We will hear them now.

BY MS. TAYLOR:

Q. Okay. It is actually just -- on the last -- Erin Taylor, USDA -- on the last question I asked about your repooling standards, you indicated that they were, it's your intent that they only apply to supply plants, which under your proposal, is in Section 7 Paragraph D.

A. Yes.

Q. Okay. The way I read Section 13, Paragraph F, which is where your repooling limits are found, is that the quantity of milk reported by a handler, pursuant to either 30(a)(1), which if I turn to 30, is a handler that operates a pool plant; or 30(c)(1), which is a handler described in Section 9(c), so a Cooperative. So the way I read that paragraph F is that these

repooling limits would actually apply to all plants.

A. You are correct.

Q. So it's your intent though, you only want them to apply to 7(d) plants, or would you want them to?

A. No, we want them to apply the way it is written in (f).

Q. Okay. Thank you. I have a follow up, that's the problem when I think on the fly.

So then for a plant, and I think later and after the provision that allows the Market Administrator to waive the 115 percent limit, repooling limit. And that maybe would apply say for a California plant that expanded production or expanded capacity and then in that one month, perhaps its production was more than a 115 percent of the month previous?

A. I think the 115 percent -- oh, okay. Yeah, 2 is described as by (i) and (ii) that that's the reasons why you got to have more than 115 percent, is you are either new or an existing handler with a significantly changed milk supply.

Q. Okay.

JUDGE CLIFTON: And what page are you on?

MR. HOLLON: 23.

JUDGE CLIFTON: Thank you.

MS. TAYLOR: Now I think I'm finished.

JUDGE CLIFTON: Thank you, Ms. Taylor.

Mr. Beshore, redirect?

MR. BESHORE: Thank you, your Honor, Marvin Beshore.

BY MR. BESHORE:

Q. Mr. Hollon, do you have any idea how long you have been on the stand in this hearing?

A. Scared to look at my watch.

Q. Well, this is what, at least the fourth different day maybe?

A. I believe. I think that's correct.

Q. You are not done yet, you understand that?

A. I'm building a big debt between Mr. Erba and Mr. Schad.

Q. Okay.

A. They will owe me.

Q. Okay. The four day, in the four days and however many hours it's been that you are on, is it possible that you have gotten confused or forgotten some things from time to time?

A. That would be unarguably true.

Q. So let me ask you about 7(a) plans.

Is it possible under the proposal when intended under the proposal, that 7(a) would define the qualifications for a distributing plant outside the State of California, among other things, that's one, outside the State of California to be part of the Milk Marketing Order pool?

A. It could if it met the qualifications described in A.

Q. In other words, a distributing plant located in Arizona, for instance, if it met those route distribution

requirements, could qualify as a pool plant under this order?

A. It could.

Q. And that's the intention of the proposal?

A. Yes.

Q. Now, in that case, would that plant, would pool status and 7(a) status under the order, provide that plant with and producer supplying that plant, with diversion rights?

A. It would. I misspoke earlier.

Q. Okay. And it's defined under section, limited under Section 13(d)?

A. Yes.

Q. Okay. So if you said diversion rights were only available to in-state distributing plants, that was not correct?

A. That was not correct.

Q. Okay. Let's look at page 20 of Exhibit 63, if we could, your statement, your second statement, testimony of Elvin Hollon, second statement. And you were asked some questions by either Mr. English or Mr. Vetne or both, about the relationship between (b) at the top of page 20 and (d) at the, towards the bottom of page 20, and these are parts of part 13 producer-milk definition. Do you recall that?

A. I do.

Q. Okay. So what is the intended relationship between (b) and (d)?

A. Well, first of all, there's a sequence of the way provisions get filed and interpreted, and in paragraph (b) it does say "received by handler describe in part 1009(c) in excess of the quantity delivered to pool plants." And down in paragraph --

JUDGE CLIFTON: Let me stop you, I just want to make sure that that 1009 that you read has point in it. Would you read it again?

MR. HOLLON: "Received by a handler described in Section 1000.9(c) in excess of the quantity delivered to pool plants." And that diversion, that statement would be subject to what's in (d), which also there said, (d) says "diverted by the operator of a pool plant or a Cooperative association described in part that Part 1000.9(c) to a nonpool plant subject to the following conditions." And those two relationships of the 9(c) relations in both paragraphs would tie, would in our language intent, tie them together.

BY MR. BESHORE:

Q. Okay. So 13(b) was not intended to authorize 9(c) Cooperatives to pool all the milk in the rest the country?

A. It was not.

Q. Okay. You were shown by, Mr. Vetne called your attention to some statistics published by CDFA relating to fluid milk sales by marketing area within California. Do you recall that?

A. I do.

Q. Okay. Now, have you had the chance to analyze that data?

A. I have not, as of yet.

Q. But with respect to how it's been described to you, and with respect to the calculations you did of blend prices in Exhibit 64 and your discussion of that in 63, do you have any thoughts about whether that data would allow you to make any other, make blend price comparisons as you have done in 64?

A. I do not think that it would. My understanding of what Mr. Vetne outlined was limited to Class I use in Northern California and Southern California by his description of gallons of milk, and there simply wouldn't be a way to get an apples and apples, or as best as you could, an apples and apples comparison of State Order blend prices with Federal Order blend prices. You still would need some kind of way to account for a Class 2 and 3 in California, and I haven't looked at the data. I don't know that it is there.

And then you would have the problem of how are you going to match that up with the Federal Order data, which you don't have with a similar geography and comparison. And I did, over two years ago maybe, look for ways to do this type of comparison, and I did inquire of CDFA if they thought they could do that type of comparison, could they compute comparable prices, and they told me they could not. That there would be

confidentiality limits on the California side and they would not have expertise on the Federal Order side.

And that was more than just, you know, a five-minute phone call. We did try to explore alternatives. And so absent those, we came up with this methodology.

Q. Okay. Let's go to Churchill County and the provision, so-called (c)1 provision in, leading to the designation of an, as a pool plant, the plant located in Churchill County, Nevada. I just have one question about that. You were asked a lot. One question.

Is it, what is the intention of Proposal 1 with respect to the ability to divert pool milk by diversion from the Churchill County and how would Section 13, those diversion limits relate to that?

A. If there would be, they would be subject to the same five-day touch base delivery to 7(a) or 7(b) plant, and subject to the 50 percent. So that wouldn't change.

Q. They would all apply?

A. They would all apply.

Q. You were asked by one of the cross-examiners, I think it was Mr. Vetne, whether wasn't it true or correct that the blend price that was the California Order versus the Federal Order, was the only aspect of disorderliness that was addressed by Proposal 1.

Now, without going back and repeating all your

testimony in statement one, are there other factors besides blend pricing you have cited and described in detail?

A. Yes. There would certainly be others. The National pricing grid would be the differences between the two, would be one; the cashiering of the current national prices would be another; the inability of the State Order to regulate milk either outside the state coming in, or inside the state going out; the common regulation of producer-handlers; the uniform, I think I said that the uniformity of prices amongst using the national grid of Class 1, 2, 3, and 4a and 4b in the associated Federal Order class, similarity of those prices.

Q. All of the class prices?

A. All of the class prices.

Q. Okay. So producer blend price was, was one of the factors?

A. One of those factors, but there were others.

Q. Many others, as you have indicated. Okay. You were also asked whether the current state pool, which is essentially an all-in pool -- I think somebody used that terminology -- you know, isn't the same as Proposal 1, and if so, why do you need Proposal 1. Something to that effect. Do you recall that? Why do you need an exclusive pooling under Proposal 1 when you have got it now?

A. Yes.

Q. Okay. Do you pool the same, does Proposal 1 and

current State Order pool the same volumes of milk?

A. It does not.

Q. What's the key difference?

A. The in-state and out-of-state are in marketing area, out of marketing area differences that the State Order can't do and the Federal Order could do.

Q. You mean, interstate movements of milk from out of the state into the state, and into the state, out of the state?

A. Correct.

Q. Going back to 7(a) plants. Are there reasons and within Proposal 1, are there elements that 7(a) plants are involved in, whether they are in the order or out of the order, other than earning diversion rights? In other words, does that provision provide a function in Proposal 1 to be there?

A. There would be other reasons. One would be to define an out-of-area plant if it were to meet those provisions and those requirements, so you would need some provisions and requirements to determine if it met them or not.

And secondly, for the operation of the Transportation Program you would need a definition someplace to deliver to that gets or earns a transportation credit. So there would be at least two more reasons why those definitions are needed.

Q. Okay. And they attract, operate that way in the Proposal 1 language. You haven't presented the transportation credit system yet, but it involves utilizing plants that fall

under that definition?

A. It does.

Q. Okay. Since you, as I have indicated earlier, have a later statement on producer-handler issues, I'm not going to ask you anything about all your cross-examination on that at this time, and I have no other questions on redirect at this time, your Honor.

JUDGE CLIFTON: Mr. English?

RECROSS-EXAMINATION

BY MR. ENGLISH:

Q. Chip English. And I apologize, but I was hoping it would get cleared up on the redirect. And I heard a response to Ms. Taylor, and I heard again a response to Mr. Beshore.

With respect to page 47213 of Exhibit 1, 47213, the definition of producer milk, paragraph 13(d)(1). What I keep hearing from the witness, or when I asked him was, is different from the text so maybe we ought to be very clear, maybe he intended to be. The text of (1) refers to a five-day receipt, which I think we call touch base requirement, correct, Mr. Hollon?

A. Yes.

Q. And the text of paragraph (1) says at a pool plant, correct?

A. Yes.

Q. To the extent -- and I agree you have been on the stand

a lot --

A. Wait, say that again.

Q. I agree you have been on the stand for a long time.

A. Oh, okay.

Q. So to the extent in answer to questions you may have said a five-day touch base requirement to a 7(a) or 7(b) plant, which is correct, the text or what I have heard you say several times?

A. The text would count as the five day but you would still be limited by the other provisions lower, so that --

Q. But let's just be clear. The touch base requirement is one thing --

A. Yes.

Q. -- and the diversion limit, while linked to it, is a different thing, correct?

A. Yes.

Q. So the diversion limit is linked to a 7(a) and 7(b) plant, correct?

A. Correct.

Q. But the touch base requirement has nothing do with the 7(a) or 7(b) plant, correct?

A. That is true.

Q. Thank you.

MR. BESHORE: Your Honor? I missed -- if I could ask your indulgence, I missed one point, one question I wanted to ask

Mr. Hollon.

REDIRECT EXAMINATION

BY MR. BESHORE:

Q. There were questions to you, probably from, probably from Mr. Vetne, but I could be wrong. In any event, that asked you, it may have been Ms. Hancock actually -- something to the effect that doesn't -- doesn't this provision treat out-of-state milk, and I'm talking about qualification provisions, diversion provisions, etcetera, treat out-of-state milk, quota payment provision, out-of-state milk different than, than other milk?

A. Yes, I remember that line of questioning.

Q. Okay. Now, when you were talking about qualification provisions relating to Churchill County, relating to plants in Arizona, if you said out-of-state, did you really mean to be talking about the marketing area, the out-of-marketing area?

A. The provisions apply to marketing area. It just so happens in this case they are similar, but the justification, if you will, or the policy if you will, really refers to out-of-marketing area as opposed to out-of-state.

Q. So there's nothing specific in the proposal that says state versus state, it's marketing area versus non-marketing area as far as -- okay. And your answer is yes?

A. Yes.

Q. Okay. And is that a distinction that's made in other

Orders in terms of pooling provisions?

A. It is.

Q. Okay. I think that is all. That's not all. You have a topic that I haven't touched?

A. There was some question about the Class I differential surface and how it came to be.

Q. And you wanted to provide some additional clarification for the record of how that surface came to be?

A. At great personal risk, but I neglected -- I neglected to mention that Congress actually set the current differential structure and its deliberations, and that the Reform Decision laid out a differential surface that would be recognized by people familiar with the provisions as the (1)(a) price surface and so I assume that --

Q. Or (1)(b) maybe, one or the other?

A. One or the other. And Congress picked the other and in a legislative session out of vote of Congress, they changed that. So that was Congress' direction to do that.

Q. And those are the differentials that remain in place under Part 1000, except the changes which were brought to your attention?

A. That's correct.

Q. Thank you. Do you have anything else I missed?

A. Give me a second.

Q. No?

A. No.

JUDGE CLIFTON: Are there any other questions of Mr. Hollon on this issue? These issues? There are none. You may step down.

MR. HOLLON: Thank you.

JUDGE CLIFTON: You're welcome. We're all applauding you.

MR. HOLLON: The sound is deafening. In spite of the position of being here, I think the process is still worthwhile, and however difficult it may be to flush out a record, it is still a good process.

JUDGE CLIFTON: I think it is. There are so many variables to consider, I just think this is extremely helpful.

Mr. Beshore you may come to the podium.

MR. BESHORE: Our next witness is Mr. Dennis Schad. Before we proceed with him, I wanted to just raise, if I may, a question about the requests to provide PDF versions of exhibits. We don't have the them available now for this, Mr. Schad's statement and exhibit set, but initially when there was some, when this was a request by a third party for PDF before they got posted or whatever, there was some concerns. And we certainly have a concern about posting documents which may be subject to correction during the proceeding before they become exhibits. And I'm not quite sure, I certainly want to accommodate the USDA in every way and your Honor's request, but how are we, how is that to be handled, or what's the process?

I may have missed some of what you said before.

JUDGE CLIFTON: All right. So to the extent that entity that wants to post on a website the recorded versions of the audio feed, that entity wanted to accompany the segments of the audio feed with the exhibits. And after Mr. Hill indicated that it was welcome to post exhibits, even though not the official copy, if it chose to, I believe that is their plan.

I would hope that once the official record copy becomes available on the USDA website, that that entity would replace the rough copy the initial copy with the official version. And I would assume they will do so.

What I'm asking for is not anything to be posted anywhere. It's a courtesy copy as an internal aid to staying abreast of the proceedings. As you have noticed, we have got part of the AMS team switching out as we proceed week-to-week, but they are all working all the time on this, to the extent their other duties allow. So I don't want them to work as hard as Ms. Taylor had to, to be ready to question Mr. Hollon.

MR. BESHORE: So this is a courtesy copy to AMS staff only?

JUDGE CLIFTON: Correct.

MR. BESHORE: Okay. I think I understand now. And I'm sorry I missed part of the explanation before.

JUDGE CLIFTON: And so, would it be possible tomorrow to provide a PDF of what we're going to look at in hard copy tonight?

MR. BESHORE: Yes, probably before that, but we'll get them as soon as we can.

JUDGE CLIFTON: That will be great. But because they are three hours later, they are probably no longer listening to us unless it is as they commute home. All right. Good. Thank you. So we are about to mark some documents.

MR. BESHORE: And we have two documents that we would request be marked for identification as the next consecutive exhibits. And the first is the document called Testimony of Dennis Schad in Support of Proposal 1. It's marked as Cooperatives' Exhibit 6 in the lower right of the first page, has a total of 36 pages.

The second document which is entitled Exhibits of Dennis Schad in Support of Proposal 1, etcetera, it has attached to it a cover page, three exhibits. 6.A, 6.B, 6.C, which are nine pages, in addition to the cover.

JUDGE CLIFTON: Ms. Elliott, I believe that the testimony of Dennis Schad, which is marked at the bottom Cooperatives/ Exhibit 6, will be Exhibit 70. Is that what you have?

MS. ELLIOTT: That's correct.

JUDGE CLIFTON: All right. I'm marking that as Exhibit 70.

(Thereafter, Exhibit 70 was marked for identification.)

JUDGE CLIFTON: That would make the exhibits Exhibit 71, correct? So we're marking the lengthier document, the

testimony, as Exhibit 70, 70, and the exhibits as 71.

(Thereafter, Exhibit 71 was marked for identification.)

JUDGE CLIFTON: Please raise your hand if you still need Exhibit 70 or 71. It appears everyone has the exhibit. Mr. Schad, I'll swear you in. Do you prefer to stand?

MR. SCHAD: Yes.

JUDGE CLIFTON: All right. Do you solemnly swear or affirm under penalty of perjury that the evidence you will present will be the truth?

MR. SCHAD: Yes, I do.

JUDGE CLIFTON: Thank you. You may be seated. And please state and spell your name?

MR. SCHAD: Dennis, D-E-N-N-I-S, Schad, S-C-H-A-D.

JUDGE CLIFTON: Mr. Beshore, you may proceed.

MR. BESHORE: Thank you, your Honor. I would like to ask one preliminary indulgence or request one preliminary indulgence in terms of the reading for the witness's benefit, maybe this witness and later ones, when we have cited material from the Federal Register, of which there's quite a bit in here, and as has been before, and we have got these open paren, close paren, close paren, would it be possible to have those read without the open and close parens? Because it has tongue ties witnesses and gets, you know, quite difficult sometimes.

JUDGE CLIFTON: Yes. And Mr. Hollon was amazingly

accomplished at it, but in the event others may not be quite so accomplished. The court reporter and I have discussed that and how it bogs the proceeding down. Because the court reporter has a copy of the exhibit, and when typing the transcript will be able to refer to the exhibit for punctuation, it will not be necessary for the person testifying to add all the punctuation.

Occasionally, though, the person testifying will want to depart from the document and should alert us, either "I would like to add here in order to expand on what's written" or to say "we have a correction here" or in some way to alert us that the document and the testimony will be different. So this eliminates also the need for spelling something that is right in the document. Sometimes I might still ask for spelling if I did not think the witness enunciated clearly enough for people to catch what was said.

MR. BESHORE: Very well. Thank you very much, your Honor, you are two steps ahead of us, and I appreciate that.

DIRECT EXAMINATION

BY MR. BESHORE:

Q. With those understandings and parameters, Mr. Schad, would you please proceed with your statement, Exhibit 70?

A. Yes.

INTRODUCTION

My name is Dennis Schad, D-E-N-N-I-S, S-C-H-A-D, I'm employed by Land O'Lakes, Incorporated, as Director of Middle

Atlantic Milk Sourcing and Regulatory Affairs. My business is address is 405 Park Road, Carlisle, Pennsylvania, 17015. My present duties at Land O'Lakes are to manage LOL's milk marketing in the Northeast, forecast and budget milk into LOL's butter and powder plant in Carlisle, Pennsylvania, and to represent LOL at various State and Federal regulatory hearings. I have been employed in the dairy industry -- and parenthetically, this is not in my statement -- at Land O'Lakes and its predecessor cooperatives in Pennsylvania. I return to my testimony: Since 1981, and have had regulatory responsibilities since 1990. I have testified at Federal and State milk pricing and regulatory hearings on several dozen occasions. My testimony today is in support of Proposal 1 sponsored by California Dairies, Incorporated; Dairy Farmers of America, Incorporated; and at Land O'Lakes, Incorporated.

My testimony concerns the topics of production classification; class prices --

Q. Excuse me, Mr. Schad, could you start -- start that sentence again, please?

A. Start it again?

My testimony concerns the topics of product classification; class prices; price and price formulas for all classes of utilization; and price announcements. These subjects are addressed in proposed Sections 1051.40, 1051.42, 1051.43, 1051.44, 1051.50, 1051.51, and 1051.52. I would like

to add to my testimony. Also, Sections 1051.53 and 1051.54.

We propose that the California Federal Order adopt the uniform Federal Order system of product classification and pricing. The product classifications of CDFA and the Federal system are very similar; and adoption of the national, uniform Federal classifications will involve few changes for California for these handlers. The Federal Order system has in place a national pricing grid for all classifications of use and prices already explicitly provide for either California-specific prices or prices which are expressly national in scope and have been adopted using California plant costs, and each month's product sales prices from California manufacturing plants are reflected. The Federal --

JUDGE CLIFTON: Let me just ask you to take that phrase again from the word California.

MR. SCHAD: From California manufacturing plants are --

MR. BESHORE: You missed a word, Mr. Schad. California?

MR. SCHAD: Milk manufacturing plants are reflected.

BY MR. BESHORE:

Q. Thank you.

A. The Federal price grid will make the California Federal Order an integrated part of the national dairy marketplace. Number 1, this is on the topic -- on.

Q. Just say heading, Roman Numeral I.

A. I. The California Order Should Adopt the Uniform

System of Classification of Milk and Milk Products.

This proposal recommends that the Secretary adopt a classification, classified pricing provisions of Section 100.40 through 100.45 --

JUDGE CLIFTON: Okay. Now, we've left off a couple of zeroes, so do those section numbers again, if you will.

MR. SCHAD: Okay. I'll re-start.

This proposal recommends that the Secretary adopt the classified pricing provisions of Sections 1000.40 through 1000.45 and the fluid milk and fluid cream definitions of Section 1000.15 and 1000.16.

JUDGE CLIFTON: All right. And that reference to 1000.15 had three zeroes in it as well, correct?

MR. SCHAD: That's correct.

JUDGE CLIFTON: Okay.

MR. SCHAD: As a general statement of purpose, the Preliminary Report the Federal Order Reform Classification Committee, in November 12th, 1996, stated, and I'll quote:

> In conformance with the Agricultural Marketing Act of 1937, all milk should be classified "in accordance with the form in which were the purpose for which it is used." Although the primary factors for classifying milk should be excused in its form, other factors, such as product labelling and equity among competing handlers, should also be considered. (Page 2.)

Q. Thank you. Can you hold it a minute?

Your Honor, I would like to have typographical error in

presented in Exhibit 70 corrected. There's a -- the third line from the end of the quote, the word "from" is there instead of "form," fifth word from the end. "Classified milk should be its use and form" as opposed to from.

JUDGE CLIFTON: I'm going to ask Ms. Elliott to make this change on the record copies. We're on Exhibit 70, page 3, it's the only indented paragraph on page 3. And as Mr. Beshore has indicated, it's the third line up from that paragraph, "from" becomes "form." And I know there's not much room for you to write, however you want to do it with arrows, you may want to rewrite the word "form" out in the margin, striking "from."

MR. BESHORE: Okay.

JUDGE CLIFTON: And I would also like to ask, Mr. Beshore, where Mr. Schad added a couple of regulatory sections as he read on page 2, shall I also ask Ms. Elliott to write those in on the record copies?

MR. BESHORE: I would request that, yes.

JUDGE CLIFTON: All right. Then I would like, Ms. Elliott, to go to page 2 of Exhibit 70, and at the end of the second full paragraph write in, as Mr. Schad testified, additional sections which are; 1051.53 and 1051.54. I know you are still working on those. Can we resume the testimony, Ms. Elliott?

MS. ELLIOTT: Yes.

JUDGE CLIFTON: All right. Mr. Beshore?

BY MR. BESHORE:

Q. Go ahead, Mr. Schad, picking up after the end of the quoted material on page 3.

A. Yes.

In 1974, a uniform Federal Order classification plan for 39 markets was adopted and continued through the Federal Order Reform process, where uniform classifications of dairy products were adopted for all Federal Orders. Since Federal Order Reform, AMS has called two national hearings to consider changes in definitions and classifications of milk products. In 2004, AMS called a hearing to address the reclassification of evaporated or sweetened condensed milk in consumer-type packages from Class III to Class IV.

Q. And those are Roman Numeral III and IV?

A. That's correct.

Q. Is it necessary, your Honor, to clarify -- I assume we don't have to clarify Roman Numerals and Arabics, in accordance with your instruction at the beginning of that about punctuation, etcetera?

JUDGE CLIFTON: I agree.

BY MR. BESHORE:

Q. Thank you. I won't interrupt you for that clarification further, Mr. Schad. Just read it as it is.

A. I will note when it's numerical and I will just assume it to be Roman numerals.

Q. I think we don't have to note it at all as long as it

is correct in the exhibit.

A. Reading on.

And in 2005, USDA held a hearing to reconsider the classification of Class I milk.

Referenced in the Federal Order Class I and Class II definitions are Section 1000.15, fluid milk product, and Section 1000.16, fluid cream product. Section 1000.16 was unchanged during the Federal Order Reform process and includes "the mixture of cream and milk or skim milk containing 9 percent or more butterfat..." This definition would include the consumer product commonly known as half and half.

The fluid product section was --

Q. Start again.

A. The fluid milk products section was modified on January 1st, 2011, as a result of a Federal Order hearing held during June 2005. The final decision held, "This final decision maintains the current fluid milk product definition's compositional standard 6.5 percent nonfat milk solids and incorporates an equivalent 2.25 percent true milk protein criterion for determining whether a product meets the compositional standard."

The California Food and Agriculture Code contains a classified pricing system which is comparable to the Federal Order definitions.

The California Class 1 definition is similar to the

Federal Order Class I with a limit, with limited exceptions. CDFA defines half and half as a Class 1 product, while AMS classifies the product as Class II.

The California Class 2 and Class 3 definitions are comparable to the Federal Order Class II, with notable exceptions. CDFA classifies buttermilk, used as a beverage, as Class 2, while the Federal Orders assign that product to Class I.

The California 4a and 4b definitions are essentially identical to the Federal Orders Class III and Class IV.

Exhibit 29 of the testimony of Mr. Nierman, I'm sorry, let me read that again. Exhibit 29 and the testimony of Mr. Nierman were provided by AMS and list individual dairy products as classified by CDFA, and their corresponding Federal Order classifications. Exhibit 62 and the testimony of Mr. Shippelhoute from CDFA further explain the CDFA classifications.

This Proposal recommends that the California Order adopt Sections 1000.15, 1000.16, and 1000.40 in order to effectuate uniform classifications of the forms and uses of milk throughout the Federal Orders.

Section 1051.42 refers to the classification and transfer of -- I'll read that again.

Section 1051.42 refers to the classification of transfers and diversions in part 1000.42. The provisions and

the rationale of this section were the subject of testimony by an AMS witness, Mr. Schaefer, at the start of the hearing. The Cooperatives recommend the adoption of this provision.

Section 1000.43 and Section 1051.43 refer to the classification of shrinkage, overages, and producer milk under the Order. The provisions in the rationale of this section were the subject of testimony by an AMS witness, Mr. Mykrantz, at the start of the hearing. The Cooperatives recommend the adoption of these provisions.

II. The California Federal Order Should Adopt for Section 1051.50 the Uniform National Provision for Class Prices, Component Prices, and Advance Pricing Factors in 7 CFR Section 1000.50.

The Cooperatives propose that the California Federal Order adopt the class price formula listed in the 7 CFR Section 1000.50, the text of which is found in Cooperatives' Exhibit 6.A (4 pages.) This section describes the formula used to develop Class I, II, III, and Class IV prices, the sources of commodity prices used in the pricing formula, and the make allowances and product yields used in the calculation. Section 1000.50 also describes the procedure for setting advanced Class I skim and butterfat prices. And a Class, and advanced Class II, solids not fat prices. In 2014, AMS reported that 129.4 billion pounds of producer milk was pooled on the Federal Orders, while the National Agricultural

Statistics Services (NASS) estimated that the total U.S. milk production was 200.6 billion pounds, of which 42.3 billion pounds were produced in California. Thus, 65 percent of the total national production, and 82 percent of the national production, less California, was priced by the uniform pricing formula of the Federal Orders.

Q. Of the Federal Order system?

A. Of the Federal Order system.

Q. Thank you.

A. California dairy products, like dairy products produced under Federal Order pricing, compete for sales in the national market. The Secretary has long recognized that national competition for dairy products required prices for milk used to produce these products --

Q. Excuse me, Mr. Schad, can you start that sentence again the Secretary?

A. The Secretary has long recognized that national competition for dairy product sales, required prices for milk used to produce those products to be uniform across the Federal Orders. While the current pricing formulae were developed through the Federal Order Reform process and amended as a result of several national hearings, the formulas' antecedents flow from the Federal Orders precedents of uniform pricing of milk used to produce manufactured dairy products. The established approach of uniform national pricing for milk used

to produce dairy products other than fluid milk results from the recognition that these products compete in a national marketplace. Pricing in California production -- I'm sorry, yes -- pricing in California production, under the national --

Q. Excuse me, start that sentence again.

A. Pricing California milk production under the national class price grid is essential to extend uniform pricing to a fifth of the nation's milk production.

A. The Evolution of a National Manufacturing Price.

The evolution from regional class prices to a national class pricing grid can be traced to the adoption of the Minnesota-Wisconsin (M-W) price series as a uniform price for milk used to produce manufactured dairy products and the base price for regional Class I prices in all Federal Orders. The Minnesota-Wisconsin manufacturing grade milk price series, (M-W) was first adopted in 1961 and adopted in all, or nearly all, of Federal Orders, in the late 1960's. In the 1995 Federal -- I'm sorry, I'll start that again. In the 1995 Final Decision of the Basic Formula Price Hearing, the Secretary cited the national character of the M-W price.

And I quote:

> The M-W price is a competitive price that represents an estimate of the average prices paid for Grade B milk in Minnesota and Wisconsin by plants that manufacture butter, nonfat dry milk, and cheese. These products are sold in a national market and competition with such products made from Grade A milk that is in excess of the fluid

> price reflect changes in overall supply and demand conditions from milk and its products nationally. (60 Fed. Reg. 7290, 7292 (1995))

Q. Could you please, please note that Fed. Reg. is Federal Register, so you can just say Fed. Reg. when you come to it. Yeah.

A. Okay. Further, in the 1995 decision, the Secretary describes the mechanics of the M-W competitive price series:

> The use of the competitive pay price method of pricing milk is based on the premise that in a highly competitive economy, dairy concerns will tend to purchase milk at prices commensurate with the more efficient concerns' ability to pay for the product. As shifts occur in the relationship between finished products prices, one group of processors may be able to pay higher prices, the other processors must meet the approximate -- I'm sorry -- meet or approximate these prices or lose their supplies. If a dairy concern fails to make the necessary adjustments, it will be forced -- I'm sorry, I'm starting from the comma -- it will, in time, be forced out of business. Increasing labor and other costs will tend to reduce prices paid for milk. On the other hand, the use of new assembling, processing, packaging, and marketing techniques which reduce costs, or increase product returns, will tend to increase prices paid for milk. These upward or downward adjustments in costs will automatically be reflected in the reserve prices by using the competitive price, pay prices method of pricing.
> (60 Fed. Reg. at 7299 (1995))

It was observed that in the M-W pricing environment --

Q. Start -- start again, make sure to get every word.

A. It was observed that in the M-W milk pricing environment, milk processors of manufactured products would freely compete for milk in a marketplace of many sellers and

BARKLEY Court Reporters

buyers. It was assumed in that environment that processors determined the price they could afford to pay for milk based on the sales price of their manufactured product, less the cost of processing. Within that accounting for a cheese manufacturer, if whey was a product that it could sell, it would be a positive value in its ability to pay dairy farmers. However, if whey from a processing of cheese had no value, and had to be disposed of, then whey would be a cost, thus implicitly, the value or cost of whey has always, was always included in the M-W price prior to Federal Order Reform.

The M-W was a competitive pay price obtained from a survey of manufacturing plants in Minnesota and Wisconsin making payments to producers of Grade B (manufacturing grade) milk. The base price for M-W was updated by the --

JUDGE CLIFTON: Let me have you start the sentence that starts "this."

MR. SCHAD: This base price M-W --

MR. BESHORE: Base.

JUDGE CLIFTON: One more time.

MR. SCHAD: This base month M-W was updated by a survey of smaller number of plants' pay prices for the succeeding month. At the time the M-W was developed, approximately 50 percent of the total Grade B milk was produced in those two states.

BY MR. BESHORE:

Q. Start at the end, at the beginning of that line, again.

A. At the time the M-W was developed, approximately 50 percent of the total U.S. Grade B milk was produced in those two states. In this context, manufacturing milk included all uses of milk that did not require Grade A, including butter/powder and all forms and varieties of cheese.

As a number of Grade B producers and the number of plants that accepted Grade B milk declined, a change in the M-W was required. The Basic Formula Price (BFP) was established in 1989 as a commodity price updater to the M-W competitive price survey. The products surveyed in the updater formula were butter, nonfat dry milk, cheddar cheese, and whey powder. The process to determine the basic formula price was described in the 1990 Carolina Order Promulgation Decision:

> It (BFP) would be computed by increasing or decreasing the M-W price of the second preceding month by an amount that reflects changes in the value of the gross value of milk used to produce cheddar cheese(including whey fat and whey solids nonfat), butter, nonfat dry milk, and edible whey powder for the, of the first 15 days of the preceding month compared to the first 15 days of the second preceding month.

JUDGE CLIFTON: You are doing amazingly well, but I would like you to read again, starting, start, if you will, with butter, nonfat dry milk, and edible whey powder, and continuing.

MR. SCHAD:

> Butter, nonfat dry milk, and edible whey powder of the first 15 days of the preceding month, compared to the first 15 days during the second preceding

> these products would be determined by multiplying the price of each product by a yield factor which represents the pounds of product that results from the manufacturer of a hundredweight of milk. The yield factors used in the formula adopted herein would be those that are used under the Dairy Price Support Program for determining similar gross values.
> (55 Fed. Reg. 25618, 25641 (1990))

Although the 1985 Farm Bill changed the calculation of the cheese support price by deleting whey from the formula, nevertheless, the Secretary continued to use whey values, make allowances and yields to compute the BFP. Within the Secretary's discretion to report an equivalent price --

BY MR. BESHORE:

Q. Excuse me, Mr. Schad, start that sentence again, please.

A. Within the Secretary's decision to report -- within the Secretary's decision to report an equivalent price, he wrote:

> It is therefore ordered that a whey processing cost of 12.5 cents per pound and a yield factor of 5.5 pounds, continue to be used as equivalent factors determining any positive whey value in computing the basic Class III formula price under the above-named orders, effective with the issuance of this determination.
> (55 Fed. Reg. at 25642.)

JUDGE CLIFTON: Because it's a quote, I would really like you to read after the comma, the last five words, six words of that particular quote.

MR. SCHAD: effective upon issuance of this determination.

JUDGE CLIFTON: Thank you.

MR. SCHAD: However, the calculation that determined the BFP prior to FMMO Reform was changed in 1995. The 1995 basic formula price final decision redefined a calculation deleting the whey factor, but for the first time, included a dry buttermilk factor. The Secretary wrote:

> After reviewing the various formulas, it is concluded the best updater would include the following products and representative price series: Grade AA butter, Chicago Mercantile Exchange (AAB); nonfat dry milk, Central States Production Area NFDM; dry buttermilk, Central States Production Area (DBM); cheddar cheese, 40-pound block, National Cheese Exchange (NCE); and Grade A butter, Chicago Mercantile Exchange (AB). Dry whey is not included in the formula because not all cheese manufacturers process whey and the disposal of it is a cost to many manufacturers. Furthermore, dry whey is no longer included in calculating the cheese purchase price under the dairy support program.
> (60 Fed. Reg. 7301)

BY MR. BESHORE:

Q. Read that last clause, please, in the quote.

A. Furthermore, dry whey is no longer included in calculating the cheese purchase price under the dairy price support program.

Q. Thank you.

A. While the politics of the 1985 Farm Bill ultimately changed the calculation of the BFP by deleting whey from the formula, nevertheless, the value of whey continued to be implicitly included in the base, BFP, through the base month M-W price. Consequently, since 1961, value of whey has always

been included in the National Federal Order price for manufacturing milk.

Prior to Federal Order Reform, several Federal Orders were amended to include multiple component pricing (MCP). These order hearings were held on an individual marketing area basis and subject to decision making based on hearing evidence. For instance, Order 30 provided a protein price calculated by multiplying 1.32 times the average monthly 40-pound block cheddar cheese price as reported by the National Cheese Exchange. The pre-Reform other solids price for Federal Order, for FMMO 30, was calculated by subtracting the butterfat and protein values from the announced BFP price and dividing by the market's other solids percentage. While other Federal Orders that had MCP pricing utilized in different formula to determine the order's protein price, the Class III price was the starting price for all orders.

Q. Read that again starting with "the Class III price."

A. Which was the starting price for all orders, was the National BFP.

JUDGE CLIFTON: Let me stop you, just so it's clear.

MR. SCHAD: Want me to read the sentence?

JUDGE CLIFTON: No, just start with the word "the Class III price." Start there. And say it.

MR. SCHAD: The Class III price, which was the starting point for all orders, was the National BFP. Thus, at standard

test, can the national Class III price in all orders was the BFP.

B. Exceptions to Price Uniformity in Prices for Milk used in Manufacturing: Class III-A

BY MR. BESHORE:

Q. That's a header? That's a heading?

A. That's a heading.

Q. Thank you.

A. The price for milk used to produce nonfat dry milk, Class III-A, was established in the November of 1992 in three Federal Orders: FMMO's 1, 4, and 124. In October 20, 1993, Class III-A decision -- I'm sorry, let me start that again.

In the October 20, 1993 Class III-A decision, the Secretary noted that the new Class III-A classification affected only milk used to produce nonfat dry milk (not butter) and reiterated his support for national pricing for cheese and butterfat. The 1993 decision expanded Class III-A pricing from the three original orders; Orders 1, 4, and 124, to an additional 26 Federal Orders. And I refer to [Docket AO-14-Z65-R02, etcetera; DA-91-013.] The Secretary noted that establishing Class III-A pricing in a limited number of markets caused price misalignments in adjacent markets.
(58 Fed. Reg. 58112, 58114, and 58115, (1993))

The formula make allowances that were used to determine the Class III-A were the make allowances legislated in the

Commodity Credit Corporation's Dairy Price Support Program.

The 1993 decision reiterated the earlier three market decisions by continuing the Western Orders' use of the average Dairy Market News Western Powder Price for orders West of the Rocky Mountains (FMMO 124, 131, and 135) and the average Dairy Market News Central States Powder Price for the other affected markets. The recommended decision proposed to use the Western Powder Price in all orders for the Formula Commodity Price, however, the Secretary reversed himself and wrote:

> There is obviously some location value associated with nonfat dry milk as dairies with other finished manufacturing products like cheese and butter. However, manufacturers of these finished products compete with each other for sales throughout the nation. Thus, currently, the minimum price used for these products is uniform throughout the country, with some minor exceptions. This ensures that all processors of these products have the same starting point in terms of the minimum price for milk. They are then left to compete with sales with each other, for sales throughout the country. In some areas, the processors would have a location advantage over competitors, and in some areas a disadvantage. However, the marketplace, and not differences in the minimum price for milk, would determine the relative advantages in order to allow competitive forces to continue to operate. The recommended III-A decision concluded --

Q. Excuse me, start that sentence again, Mr. Schad.

A.

> The recommended decision concluded that the Class III-A price should be uniform among the Federal Order markets, as is currently the case with the Class III price. Using different powder prices in the Class III-A formulas could result in

manufacturing plants depending on where the dividing line is established. For using different prices, the recommended decision concluded. Establishing different price levels would not be consistent with the price support program and the national market nature of the nonfat dry milk market, the recommended decision further concluded.

The Secretary went on to note --

Q. Could you repeat the source?

A. (58 Fed. Reg. At page 58124.)

Q. The Secretary went on to note that the Western Price was lower than the Central nonfat dry milk prices, but not always at the same magnitude. When the nonfat dry milk prices were high, the difference would be greater. And when the nonfat dry milk price was lower, the difference between the price series narrowed. Between September 1991 and August 1992, the difference between the price series ranged from 2.4 cents per pound to 6.2 cents per pound, an average 4 cents for the period. Noting that about 60 percent of the nonfat dry milk was manufactured in the Western Region, the Secretary opted to maintain the regional price factor in the Class III-A formula. In doing so, the Secretary rejected a suggestion --

JUDGE CLIFTON: Let me stop you. Start again with Class III-A at the end of the sentence.

MR. SCHAD: Class III-A price formula. In doing so, the Secretary rejected the suggestion that the formula use the Central state's price and discount that price for the Western

Order by affixed amount to represent transportation. He noted that the difference in prices between the price series, fluctuated.

Also, this same citing, at page 58124 and 125.

Of the 33 Federal Orders included --

BY MR. BESHORE:

Q. Excuse me, read, start again that sentence.

A. Of the 31, I'm sorry -- of the 31 Federal Orders included in the 1999 annual summary, 21 Orders had provisions for Class III-A pricing.

Due to the seasonal adjusters of the three Northeast Orders and the two separate price series (Central States and Western States) there were five different monthly prices for the 23 orders. However, the variation of the 1999 average Class III-A price series, was slight:

Order 1, $12.14; Order 2, $12.22; Order 4, $12.16; Western Area, (Pacific Northwest, Central Arizona, and Southwestern Idaho, and Eastern Oregon Orders) $12.04; and the Other Areas, including Carolina, Southeast, Michigan Upper Peninsula, Southern Michigan, Eastern Ohio, Western Pennsylvania, Ohio Valley, Indiana, Chicago Regional, Louisville-Lexington-Evansville, Upper Midwest, Iowa, Nebraska-Western Iowa, Southwestern Plains, and New Mexico-West Texas, $12.14.

There was an 18 cent per hundredweight range of the

1999 average Class III-A prices between the New York and New Jersey Order and the lowest prices in the Western Order.

I cite --

Q. Western?

A. Area.

Q. Thank you.

A. I cite (1999 Federal Milk Order Statistics Annual Summary, Table 30).

JUDGE CLIFTON: Read the cite again, please.

MR. SCHAD: 1999 Federal Milk Marketing Order Statistics Annual Summary, Table 30.

JUDGE CLIFTON: I'm going to stop you there, we're on page 12. I just want everybody to stand for five minutes.

Oh my goodness, we have used our time.

MR. BESHORE: Maybe finish a paragraph and we'll be out.

JUDGE CLIFTON: So that we will be at a stopping point. Yes, you may continue to read, if you would, please Mr. Schad.

MR. SCHAD: It is important to note that in 1993, a sales-weighted national average nonfat dry milk price was not available. The Secretary had to rely on a voluntary and unaudited survey of unweighted weekly sales of nonfat dry milk reported in the Dairy Market News. Had the Secretary had access to a national weighted average nonfat dry milk price that would have been, that would have been influenced by the Western Regions, 60 percent of nation's production as the NASS

price is, he may have come to a different conclusion on the establishment of Regional Class III-A prices. Nevertheless, when you allow for the seasonal adjusters in the three Northeast Orders that would have been present even without Class III-A pricing, the average Class III-A difference was 10 cents per hundredweight. The informal rule making process of Federal Order Reform allowed AMS to better standardize and make uniform, the prices from milk used to produce Class II, III, and IV products. As a result of Federal Order Reform, since 2000, no Federal Order contains a seasonal pricing provision, nor does any Federal Order include regional pricing factors used in that manufacturing.

Q. Read the last the last sentence again.

A. As a result a Federal Order Reform, since 2000, no Federal Order contains a seasonal pricing provision, nor does any Federal Order include regional pricing factors for milk used in manufacturing.

Q. Thank you.

JUDGE CLIFTON: Now --

MR. BESHORE: We will stop there for the day.

JUDGE CLIFTON: I think that's a good plan.

Mr. Beshore, I want to go back to first full paragraph, the sentence starts "it is important to note" and the witness properly read the end of the second line of that paragraph as being "unweighted" is that correct?

MR. BESHORE: That is correct.

JUDGE CLIFTON: So I'm going to ask Ms. Elliott to change the record copies. This is Exhibit 70, page 12, the first full paragraph the second line, the last word reads "unweighed" and it should read "unweighted."

MR. BESHORE: There's a "T" missing.

JUDGE CLIFTON: So the record copies will be conformed accordingly.

MR. BESHORE: Thank you.

JUDGE CLIFTON: So when we resume, we'll take the next part of page 12, which begins with a heading at the bottom of the page.

Is there anything else preliminary to our going off record? There is nothing. I'll see you here. You are welcome to come as early as 8:00, we'll go on record at 9:00.

Right now we go off record at 5:01.

(Whereupon, the evening recess was taken.)

---o0o---

COURT REPORTERS CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF FRESNO)

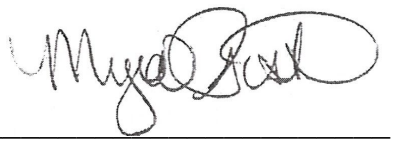
I, MYRA A. PISH , hereby certify:

I am a duly qualified Certified Shorthand Reporter, in the State of California, holder of Certificate Number CSR 11613 issued by the Court Reporters Board of California and which is in full force and effect.

I am not financially interested in this action and am not a relative or employee of any attorney of the parties, or of any of the parties.

I am the reporter that stenographically recorded the testimony in the foregoing proceeding and the foregoing transcript is a true record of the testimony given.

Dated: November 2, 2015



#

#4 (1)
2987:11

$

$12.04 (1)
3071:18
$12.14 (2)
3071:16,24
$12.16 (1)
3071:16
$12.22 (1)
3071:16
$13.03 (2)
2895:14;2897:20
$14.32 (3)
2896:19;2897:22;
2898:14
$15.08 (5)
2900:19,23;
2902:18;2903:3,4
$15.51 (4)
2899:23;2900:3,
15;2903:5
$16.91 (2)
2895:16;2896:8
$17.17 (1)
2902:13
$17.35 (2)
2902:8,13
$17.88 (6)
2894:20;2895:5,
17,18,21;2901:15
$17.92 (2)
2901:16;2903:11
$18.42 (1)
2895:14
$18.45 (1)
2898:22
$3.25 (2)
2982:3;2986:13
$3.75 (2)
2982:8;2987:7
$40 (1)
2984:21
$750,000 (1)
2992:15

/

///// **(1)**
2975:25

[

[AO] (1)
2886:18
[Docket (1)
3068:19

A

a5 (1)
2911:11
abilities (1)
3019:17
ability (12)
2913:10;2926:7;
2995:10;3001:16;
3002:16;3012:16;
3016:10;3019:19;
3021:21;3031:12;
3040:12;3063:6
able (9)
2886:14;2932:22;
2992:3;2995:25;
2999:15;3014:8;
3019:4;3034:6;
3051:5
above (9)
2890:1;2895:13;
2896:3;2897:18;
2903:3;2992:3;
3001:13;3007:16;
3008:10
abreast (1)
3048:14
absence (4)
2955:25;2956:9;
2957:4;3016:20
absent (1)
3040:4
absorb (2)
3033:13;3034:7
absorbed (1)
3033:5
abundantly (1)
3021:25
abuse (1)
2934:17
accept (4)
2894:20;2909:3,
22;3017:2
access (5)
2967:17,21;
2971:10;2995:15;
3072:23
accommodate (4)
2957:19;2967:21;
2972:17;3047:24
accompany (1)
3048:4
accomplished (3)
2994:22;3051:1,2
accordance (1)
3056:16
according (1)
3030:21
accordingly (2)
2920:1;3074:8
account (1)
3039:17
accounting (1)
3063:4
accounts (2)
2996:20,21
accumulate (1)
2952:13
accurate (3)
2901:21;2988:17;
2999:4
achieve (2)
2951:2,20
acknowledge (1)
2885:1
AcMOODY (2)
2884:9,9
A-c-M-O-O-D-Y (1)
2884:9
acronym (1)
2984:20
across (4)
2954:3;3019:22;
3024:24;3060:19
Act (1)
3022:9
acting (1)
2914:16
active (1)
2993:17
activity (2)
2917:11;3010:25
actual (5)
2926:6;2927:24;
2982:8;2988:25;
2989:12
actually (33)
2887:19;2891:13;
2893:7,20;2899:5;
2902:5;2903:6,25;
2904:7;2905:2;
2906:24;2911:11;
2915:3;2917:4;
2922:14;2934:20;
2935:24;2948:18,19;
2950:19;2970:1;
2985:23;2990:8;
3006:19;3012:10;
3025:5,19;3030:21;
3031:6;3034:14;
3035:1;3045:6;
3046:10
add (11)
2900:9,16,17;
2982:7;2992:21;
3009:19;3016:8;
3024:10;3051:6,9;
3053:1
added (6)
2886:1;2897:5;
2932:11;3020:4;
3024:9;3055:14
adding (1)
3024:11
addition (3)
2953:7,12;
3049:16
additional (5)
2925:17,19;
3046:7;3055:20;
3068:19
Additionally (2)
2924:16;2953:7
address (4)
3014:6;3015:8;
3052:2;3056:10
addressed (4)
2956:24;2959:8;
3040:23;3052:24
adds (1)
2925:19
adequate (2)
2925:1,5
adequately (2)
2924:16;2985:25
adjacent (1)
3068:22
adjust (1)
3028:10
adjusted (5)
2956:12;2960:21;
2961:1,10;2962:1
adjusters (3)
2956:16;3071:11;
3073:3
adjusting (1)
2961:25
adjustments (1)
3025:24
administrative (1)
2942:8
Administrator (5)
2882:2,6;2921:1;
3028:10;3035:9
admission (6)
2892:8,11;2904:2;
2906:15;2909:12,19
admit (1)
2896:16
admitted (10)
2887:21;2888:5,
10,11;2892:12;
2904:5,11;2913:8;
2919:21;2966:20
admittedly (1)
3016:13
adopt (6)
2924:12;3053:2,
25;3058:19;3059:10,
15
adopted (5)
2897:16,25;
3053:11;3056:5,7
adoption (3)
3053:5;3059:3,9
Advance (1)
3059:12
advanced (2)
3059:22,23
advantage (4)
2939:25;2940:12;
2941:4;2971:16
advantageous (1)
3020:20
advantages (1)
2994:15
advertisement (1)
2985:2
advertising (2)
2984:21;2987:15
advise (2)
2980:20,21
Advisory (2)
2984:8,20
Affairs (1)
3052:1
affected (2)
2983:25;3068:15
affiliated (1)
3026:14
affirm (2)
2975:9;3050:8
affixed (1)
3071:1
afford (1)
3063:2
afforded (1)
2940:12
afraid (1)
3021:4
afternoon (11)
2886:15,15;
2975:1;2976:3;
2982:25;2986:8;
2991:18;3003:10,11;
3022:15,16
again (73)
2885:6,18;2887:9;
2894:14,16;2895:17;
2896:6;2898:6,17;
2901:4,14,20;
2902:15;2904:14;
2906:25;2908:24;
2910:12;2911:1;
2913:19;2916:4;
2917:10;2918:14;
2919:8;2920:20;
2921:4;2923:5;
2925:2;2928:23;
2930:10;2935:6;
2940:21;2941:12;
2945:14;2952:11,24;
2961:4;2962:9;
2964:3,14;2965:12;
2966:19;2968:23;
2969:12;2984:12;
2988:9;2989:20;
2990:13;2993:5;
3000:16,17;3005:13;
3011:15;3027:5;
3028:22;3030:1,4;

3038:8;3043:13;
3044:2;3052:19,20;
3053:15;3057:13;
3058:12,23;3060:15;
3063:25;3067:17;
3068:12;3070:21;
3071:7;3072:9;
3073:13
against (6)
2891:25;2921:23;
2927:23;2943:14;
2995:25;2999:16
aggregate (2)
2963:12;2990:1
ago (3)
2889:24;2983:20;
3039:22
agree (49)
2888:22;2891:23;
2892:2,4,7;2894:10,
22;2896:22;2899:7;
2900:21;2901:20;
2902:22;2913:5,17;
2927:5;2928:1,6;
2930:8;2931:8;
2940:12,23;2942:6;
2945:11;2948:17,22;
2955:5;2956:21;
2957:2,23;2960:3;
2961:18;2963:22,23;
2965:8;2971:13;
2988:4;2992:23;
2996:2,11;3001:2;
3012:17,20,21;
3016:3;3022:10;
3029:13;3043:25;
3044:3;3056:19
agreed (2)
2901:7;3018:14
Agreement (2)
2919:13;2920:24
agrees (1)
2996:8
Agricultural (1)
3059:25
Agriculture (5)
2884:16;2886:19;
2929:25;2976:14;
3057:22
Ah (1)
3017:22
ahead (3)
2966:19;3051:17;
3056:1
aid (1)
3048:13
Airport (1)
2886:7
Alan (1)
2883:19
A-L-A-N (1)
2883:19
Alaska (1)
2985:10
alert (2)
3051:8,10
alerting (1)
3033:23
allegation (1)
2942:17
alleging (1)
2942:23
all-in (1)
3041:19
All-Jersey (1)
2981:3
All-Jersey's (1)
2981:5
allow (9)
2904:23;2934:3,
12;2967:21;3013:9;
3028:15;3039:8;
3048:17;3073:3
allowable (1)
2944:11
allowance (4)
2934:3,16;
2944:15;3026:2
allowances (12)
2933:7,15,18;
2934:23;2943:20,21,
23;2944:13,13;
3059:20;3068:24,25
allowed (7)
2930:22;2967:1;
2978:10;3007:14;
3015:23;3027:12;
3073:7
allows (3)
3010:13;3028:9;
3035:9
almost (3)
2906:6;2926:21;
3017:12
alone (2)
2988:12,12
along (4)
2916:25;2931:22;
2978:5;3034:7
alphabetical (1)
2886:2
alternative (2)
3014:2;3016:14
alternatives (4)
3015:1;3016:10,
20;3040:4
Although (4)
2886:13;2887:8;
2900:16;2959:9
always (5)
2933:23;2960:19;
3063:9,9;3070:11
amazing (1)
3033:7
amazingly (1)
3050:25
amended (6)
2891:24,25;
2930:1;2957:12;
3060:21;3067:4
amendment (1)
2892:1
Amendments (11)
2891:16;2919:12;
2920:24;2927:23;
2928:17;2929:14;
2930:8;2931:1,4;
2961:20,20
America (5)
2882:17,19;
2892:23;2996:20;
3052:15
among (6)
2951:21;2962:7;
2964:2,15;2967:10;
3036:20
amongst (1)
3041:9
amount (15)
2938:12;2939:17;
2941:7;2943:2;
2969:2,24;2985:7;
2989:20,20;2990:6;
3019:14;3027:17,18;
3030:3;3071:1
AMS (14)
2882:3,7;2971:14;
3034:6;3048:15,19;
3056:8,10;3058:2,
13;3059:2,7,23;
3073:7
Analysis (6)
2893:22;2926:21;
2943:5;2949:10;
2989:8;2990:20
analyze (2)
2990:2;3039:2
and/or (2)
2989:11;2996:22
angle (1)
2932:1
animal (3)
2998:8,11,17
animals (10)
2995:10,11,15;
2997:10,22;2999:7;
3000:3,23;3001:14,
17
Annie (1)
2884:9
announced (1)
3067:12
announcement (2)
2975:5;3002:25
announcements (2)
2884:14;3052:23
annual (4)
2998:6;3071:9;
3072:7,11
answered (3)
2953:17;3025:4;
3026:10
antecedents (1)
3060:22
anticipate (1)
3014:8
anymore (1)
2947:19
AO-14-Z65-R02 (1)
3068:20
AO-313-A48DA-04-06 (1)
2889:10
apologize (7)
2887:18;2897:6;
2902:5;2922:13;
3005:14;3015:14;
3043:11
Appalachians (1)
2963:13
appear (1)
3019:8
appearances (2)
2882:12;2884:5
appeared (1)
2942:7
appearing (2)
2883:3;2976:4
appears (1)
3050:5
applauding (1)
3047:6
apples (6)
2901:4,5;3039:14,
14,14,15
applicable (1)
3031:3
applied (2)
2916:13;2941:3
apply (14)
2915:23;2932:17;
2944:7,9;2947:9;
2968:7;3034:17;
3035:1,3,5,10;
3040:18,19;3045:17
appreciate (4)
2959:19;2976:12,
13;3051:17
approach (2)
2947:9;3060:25
appropriate (4)
2959:11;3016:1;
3028:2;3030:2
approximate (1)
2896:23
approximately (5)
2942:1;2983:7;
2984:21;2987:6;
3063:22
Arabics (1)
3056:16
Area (48)
2889:4,11,12;
2919:12;2920:23;
2924:10,19;2944:1,
3,10,10;2950:13;
2952:17;2954:18,20;
2970:9,10,12;
2989:11,18;3007:14;
3009:14,20;3010:11;
3011:1;3026:25;
3027:11,21;3028:17;
3029:20;3030:11,14;
3031:4,6,18;3032:7;
3038:24;3042:4,5;
3045:16,16,17,20,22,
23;3067:5;3071:17;
3072:5
areas (8)
2922:4;2924:10;
2934:21;2957:13;
2977:20;2979:10;
3018:8;3071:19
argument (2)
2903:1;2945:9
arising (2)
2925:14,22
Arizona (14)
2908:22,23;
3018:4;3020:16,24;
3021:8,14;3022:2,8;
3031:14,16;3036:25;
3045:15;3071:17
arose (1)
2955:16
around (4)
2905:19;2930:16;
2959:23;2993:19
arrived (1)
2973:6
arrows (1)
3055:10
article (3)
2891:14,15;
2892:3
articles (1)
2927:18
asada (1)
3000:15
ascertain (1)
2948:23
Ashley (1)
2883:5
A-S-H-L-E-Y (1)
2883:5
aside (1)
3004:22
aspect (3)
3017:9,14;
3040:23
aspects (1)
3016:12
asset (1)
2983:25
assets (4)
2984:2;2997:3,6,9

assign (1)
3058:7
Assistant (2)
2882:2,6
associate (2)
2968:8;3007:17
associated (3)
2916:22;3027:21;
3041:10
Association (17)
2884:1,4;2914:16;
2927:12;2938:7,8,
20;2971:7;2976:21,
24,25;2980:16,17,
25;2993:22;
3028:23;3038:13
assume (6)
2995:24;3007:4;
3046:14;3048:11;
3056:15,23
assumed (1)
3063:1
assuming (15)
2895:4,11;2896:7;
2897:13,15;2898:9;
2899:13;2901:4,14;
2902:3,9;2906:10;
2915:23;2934:1;
2947:8
assumption (3)
2894:18;2901:6;
2999:4
assumptions (4)
2896:12;2905:7;
2959:18;2989:19
assure (2)
2924:15;3007:16
Atlantic (1)
3052:1
attached (1)
3049:15
attempt (2)
2936:19;2939:6
attempted (2)
2939:5;3023:2
attempting (1)
3007:17
attendant (1)
3014:17
attending (1)
2889:3
attention (2)
3038:23;3046:21
attitude (1)
2996:16
attorney (3)
2882:15;2883:1,6
attract (3)
2961:2,10;
3042:23
attributed (1)
2939:16
auctioned (1)
2995:23
auctions (2)
2978:20;3001:12
audience (2)
2884:24;2984:18
audio (9)
2885:2,5;2975:6;
3003:3;3033:6;
3034:2,5;3048:4,5
August (3)
2982:6;2986:13;
3070:14
author (3)
2904:19;2966:10,
17
authority (1)
2961:21
authorize (1)
3038:19
availability (1)
2983:13
available (21)
2885:9;2891:22;
2893:2,9;2894:8;
2915:7;2925:1,5;
2933:1;2950:2,3;
2960:17;2965:7;
2998:11;3001:6,22;
3026:9;3037:13;
3047:17;3048:9;
3072:20
average (11)
2899:6;2997:12;
3025:8,12;3067:8;
3070:16;3071:14;
3072:1,19,23;3073:5
averaged (2)
3025:11;3026:5
averages (1)
3025:6
avoid (2)
2929:10;2971:21
aware (13)
2921:19;2939:1,
13;2949:15;2950:9,
10;2961:13;
2967:22;2973:1;
2989:23;2997:1;
3032:14;3034:6
awful (1)
2983:12

B

B5 (7)
2907:6,7,17;
2908:6,12;2911:8,18
B6 (1)
2908:13
Bachelor (1)
2976:19
back (38)
2885:21;2886:9;
2887:23;2895:2;
2900:9;2908:16;
2915:10;2916:16;
2919:8;2920:13,15;
2926:3;2928:2;
2932:11;2940:25;
2959:15;2965:20;
2968:21;2969:3;
2974:13;2975:2;
2984:14;2987:5;
2993:17,19;2999:16;
3003:7;3009:23;
3015:12,16,20;
3028:22;3033:3,9,
11;3040:25;
3042:10;3073:22
backed (1)
2896:16
background (1)
2981:11
balance (4)
2979:1,10;
2983:23;2984:2
balancing (5)
2929:8,21;2930:4;
3027:17;3030:4
Bank (1)
2996:19
base (20)
2943:8;2970:6;
2999:16,17;3003:19,
19,21;3004:21;
3005:14;3029:22;
3031:11;3040:16;
3043:19;3044:6,11,
20;3063:14,17,18,20
based (27)
2895:19;2896:24;
2901:10;2925:11;
2926:6,9;2928:13;
2946:14,21,22,25;
2947:2,6;2956:12;
2983:12,13;2987:1;
2988:1;3008:20;
3010:23;3011:14;
3018:13;3026:7;
3027:23;3028:3;
3063:2;3067:6
basically (4)
2888:6;2891:25;
2913:10;2930:22
basis (5)
2960:21;2968:12;
2998:6;3019:22;
3067:6
Bb5 (1)
2911:15
beam (1)
2919:18
bear (2)
2925:20;2991:6
bearing (1)
2990:3
became (1)
2977:14
BECKER (2)
2882:8,8
B-E-C-K-E-R (1)
2882:8
become (3)
2937:1;3001:21;
3047:23
becomes (3)
3017:12;3048:8;
3055:9
beef (1)
3000:14
began (1)
2996:24
beginning (5)
2884:15;2923:24;
2957:11;3056:17;
3063:25
begins (2)
2966:24;3074:11
behalf (7)
2883:3;2914:16;
2916:25;2931:9;
2938:18;2940:6;
2991:19
behavior (1)
3010:11
behind (2)
2944:25;3028:21
beholder (1)
2939:2
believes (1)
2965:3
below (2)
3025:8,12
beneficial (1)
2983:15
benefit (4)
2910:25;2964:8;
3011:22;3050:18
benefits (1)
2925:14
Beshore (64)
2882:14,14;
2893:19;2904:10,14,
16,16;2958:24,25;
2959:1,3,3,18;
2961:20;2975:21,22;
2976:2;2979:17,20,
24;2986:11;3015:2,
3,4;3022:12;3032:3;
3033:8;3035:24,25,
25;3036:2;3038:18;
3043:13;3044:24;
3045:3;3047:13,14;
3048:19,21;3049:1,
7;3050:15,16;
3051:16,19;3053:17,
19;3055:7,12,13,17,
24,25;3056:20;
3063:18,24;3068:5;
3071:6;3072:15;
3073:20,22;3074:1,
6,9
B-E-S-H-O-R-E (1)
2882:15
Besides (4)
2910:2;2930:20;
3019:1;3041:1
best (5)
2972:10;2975:16;
2984:22;3016:14;
3039:14
Better (11)
2890:22;2899:2;
2913:15;2924:15;
2931:5;2941:21;
2944:10;2961:16;
2985:25;3031:5;
3073:7
beverage (6)
2945:25;2946:20;
2949:4,18;2950:8;
3058:6
beyond (4)
3007:17;3020:24;
3021:14,18
BFP (4)
3067:12,19,25;
3068:2
big (3)
2968:3;3033:19;
3036:10
bigger (1)
2992:19
billion (3)
3059:24;3060:2,2
bit (9)
2889:19;2914:2;
2920:6;2921:9;
2936:10;2959:22;
2981:8;3022:22;
3050:20
black (1)
2984:24
blend (66)
2894:16,20,23;
2895:5,18;2898:2;
2899:17,24;2900:7,
12,21;2901:4,14,21;
2902:5,18,24;
2903:3,5,12,14,16,
18,24,25;2913:10,
11,12;2924:21;
2925:9;2930:23;
2932:7,10,13;
2933:3,8;2950:16,
19,22;2951:2,21;
2952:1,14,19,21;
2953:1,3,7,9;
2956:12;2960:16;
2961:1,9;2962:1;
2968:6;3019:13;
3023:17,19,19;

3039:6,9,15,16; 3040:22;3041:2,14
blended (2) 2899:2;2951:20
block (2) 2928:15;3067:8
Board (7) 2984:8,20; 2987:16;2989:7,9, 16;2990:1
bogs (1) 3051:3
bold (2) 2889:25;2951:9
books (1) 2910:21
border (1) 3020:10
borders (2) 2934:24;3020:6
born (1) 3000:23
borrow (1) 2999:16
both (17) 2889:3;2893:6,6; 2896:24;2906:16; 2909:18;2918:15; 2937:9;2946:17; 2960:13;2972:23; 3011:3,12;3012:5; 3019:6;3037:19; 3038:16
bottom (18) 2902:6,10;2907:1, 6;2911:17;2922:3,3, 10,15,19;2923:7,24; 2966:24,24;2978:15; 3037:21;3049:18; 3074:11
boundaries (3) 2950:11,11,12
box (7) 2901:23,24; 2902:6,10,21; 2903:3,9
boy (2) 2914:9,10
brackets (1) 2886:17
brand (5) 2937:5,8;2939:25; 2988:1,1
break (9) 2898:11;2920:2, 14;2974:1,8,9,10; 3033:9,10
Brian (1) 2882:10
B-R-I-A-N (1) 2882:10
briefly (1) 3016:11
briefs (2) 2921:15,20
bring (3) 2907:17;2913:21; 2981:6
brings (1) 2978:25
broadcasting (1) 2885:2
broadly (1) 3007:13
broke (1) 2892:17
brought (4) 2913:23;2977:22; 2987:5;3046:20
budget (2) 2984:21;3052:4
building (2) 2893:7;3036:10
bulk (4) 2916:18;2917:8; 2930:22;2967:7
Bulletin (2) 2949:16,25
bump (1) 2998:14
burden (1) 2929:17
bury (1) 2966:1
business (8) 2964:6;2992:15, 18;2995:12,13,14; 2999:7;3052:1
businesses (2) 2937:16;2992:14
butter (3) 2985:16;3052:5; 3068:15
butterfat (4) 3057:10;3059:22; 3067:11;3068:17
buttermilk (1) 3058:6
buy (3) 2903:1;2994:10; 3000:4
buyers (5) 2985:24;2996:1; 3001:18,23;3063:1

C

c1 (3) 2915:23;2954:20; 3040:7
Cabot (1) 2990:24
calculate (2) 2896:19;2900:6
calculated (2) 3067:7,11
calculating (1) 2932:14
calculation (7) 2903:4,15; 2932:17;2946:17,18; 3023:24;3059:20
calculations (2) 2946:25;3039:6
calf (3) 2977:9;2997:4; 3000:18
California (249) 2882:17,24; 2883:3,7,9,12,25; 2884:3,19;2886:21; 2893:23;2894:9,11, 11,15,16;2895:12; 2897:13,14,17,21; 2898:1,22,25; 2899:1,3,4,6; 2902:12;2905:11,17; 2907:19;2908:2,3; 2915:13;2926:9,15, 17,24;2927:12; 2931:13;2934:24; 2935:3,10;2937:22; 2938:1,7,13,20,22; 2942:15,25;2945:15; 2946:1,2,4,14,17,20, 21,21,25;2947:2; 2948:18,19,20; 2949:4,6,7,14,15,17, 18;2950:5,5,8,9,11, 12,13;2951:3; 2952:17;2954:13,23; 2955:3;2957:25; 2961:16;2962:11; 2963:1;2964:24; 2965:6;2967:25; 2968:8,9;2970:13, 16,18;2971:2,9; 2972:11,12,15; 2973:1,11,12,15,17; 2976:5,16,17,23; 2977:4,8,16,25; 2978:3,13,25; 2979:1,7,13;2980:9; 2981:10,12,12,13,14, 23;2982:1,7,15; 2983:6,15;2984:8, 20,22,23,24;2985:5, 20,24;2986:1,9,12; 2987:3,15,17; 2988:2,11,13,15; 2990:3,16;2991:1,1, 4,10,11,21,24; 2992:10;2993:11,15, 21,25;2994:6,7,10, 12,13,19;2995:3,4, 16,19,22,25; 2998:21;2999:6; 3000:24;3001:1,10, 16;3002:5,8,10; 3008:21,24;3011:4, 9;3012:16,19,23; 3013:17;3014:23,25; 3016:9,12;3018:8; 3019:7,24;3020:7, 11,14,16,17; 3021:21;3022:5,7; 3023:10,19,23; 3025:10;3026:15,16, 18;3027:11;3030:20, 21,23;3035:11; 3036:20,21;3038:24; 3039:12,12,17; 3040:1,22;3052:14; 3053:2,6,11,12,15, 16,17,21,25; 3057:22,25;3058:4, 9,18;3059:10,14; 3060:3,5,10
California/Southern (1) 2962:25
California-origin (1) 2988:6
California's (4) 2951:11;2994:23; 3019:1;3027:10
California-specific (1) 3053:9
call (12) 2888:3;2898:10; 2900:7;2906:14; 2909:24;2910:4; 2926:24;2961:20; 2997:19,20;3040:4; 3043:19
called (9) 2889:5;2916:18; 2965:15;2984:8; 2998:7;3038:22; 3049:9;3056:8,10
calling (1) 2976:14
calls (5) 2977:23;2995:8,9, 9;2997:13
calves (1) 2977:10
calving (1) 2981:18
came (12) 2888:24;2891:24; 2903:12;2934:21; 2993:21;2994:19; 3000:7;3021:11; 3023:17;3040:5; 3046:6,8
camp (1) 2945:10
can (82) 2885:12;2886:1,3; 2887:20;2890:16,17; 2904:25;2909:4; 2910:1,21;2919:20; 2920:7;2923:15,22; 2924:7,18;2925:25; 2929:1,2,6,20; 2930:10;2931:16; 2935:7;2948:11; 2949:5;2955:14,15; 2960:6;2965:14,25; 2966:7;2969:3,10, 25;2970:8,17; 2971:2;2972:10,19; 2975:6;2978:5,17; 2979:10;2981:8,21; 2982:7;2983:4; 2990:6;2991:25; 2995:17,17;3000:2; 3003:1;3004:3; 3005:19;3007:8; 3009:16;3010:17; 3011:2,13;3014:6; 3018:25;3023:2,6; 3024:6,8;3026:19, 20;3027:3,15; 3028:18,21;3029:19; 3030:15;3032:1; 3033:16,17;3049:2; 3055:22;3060:15; 3068:1
cap (1) 2942:3
capacity (6) 2964:7,8;2972:3,6, 17;3035:12
caption (1) 2886:20
capture (1) 2923:4
captured (3) 2954:12,14; 2955:5
care (3) 2885:16;2910:4; 2913:25
career (1) 2957:11
carefully (1) 2971:14
Carlisle (2) 3052:2,5
Carman (4) 2882:1,1;2890:16, 18
C-A-R-M-A-N (1) 2882:1
carne (1) 3000:14
Carolina (1) 3071:19
carried (1) 2897:7
carries (4) 2922:3;2923:9,25; 2960:24
carry (6)

2891:14;2908:19; 2923:19;2924:6; 2971:22;2990:18
carrying (2)
2921:17;2990:10
cartons (2)
2985:1,2
case (18)
2885:16;2886:20; 2898:1;2903:21; 2904:14;2941:11; 2955:6;2960:7; 2964:23;3003:16; 3009:5;3013:9; 3017:24;3019:19; 3028:8;3030:4; 3037:5;3045:18
cases (2)
2937:8;2962:23
cash (1)
2983:13
cashiering (1)
3041:5
cast (1)
2975:6
catch (1)
3051:15
category (1)
2897:9
cattle (26)
2977:2,3,3,10,21, 22,22,24;2981:1; 2993:14,17,20,24; 2994:2,5,9,10,12,25; 2995:2,3,17,19; 2996:1;2997:4; 3000:9
cause (1)
2890:20
caused (2)
2930:3;3068:22
cautionary (1)
3015:20
CDFA (18)
2885:23;2945:25; 2946:7;2949:16,21; 2950:4;3026:7,8; 3032:11,23;3038:23; 3039:23;3053:4; 3058:2,6,14,16,16
CDI (2)
2978:7;2981:12
cell (1)
2982:2
cent (1)
3071:25
center (1)
2948:15
Central (18)
2889:4,6,11,11; 2919:12,14;2920:23; 2924:25;2925:4,9; 2956:23;2968:20,25; 2969:14;3070:10,25; 3071:12,17
cents (14)
2899:1;2901:16, 17;2902:11;2982:8; 2986:19;2987:6; 2991:11;3024:18; 3026:2;3070:15,16, 16;3073:6
certain (12)
2905:7;2913:13; 2916:15;2922:4; 2924:10;2929:17; 2944:3;2957:12,13; 3016:12;3027:17,18
certainly (15)
2906:6;2910:18, 21;2920:7;2922:9; 2971:20;2972:25; 3001:25;3017:3; 3018:11;3019:4,16; 3041:3;3047:21,23
CFR (8)
2908:19;2910:23; 2911:6,14,14; 2919:8;3059:13,15
chance (3)
2904:12;2913:19; 3039:2
change (29)
2885:3;2901:6,9, 10;2903:2;2907:25; 2917:13,14;2926:4, 8;2936:22;2937:25; 2962:6,22;2963:4,6, 7,8,16,22,23;2964:1, 5;2967:12;2996:16; 3003:2;3040:17; 3055:6;3074:2
changed (6)
2936:14,21,25; 2996:19;3035:17; 3046:17
changes (9)
2891:25;2917:16, 18;2930:1;2957:6; 2964:4;3046:20; 3053:6;3056:9
characteristics (1)
2915:19
characterization (2)
3014:21,22
characterize (1)
2995:1
chart (2)
2913:8;2932:8
check (1)
2982:13
checkout (1)
2990:11
cheddar (1)
3067:9
cheese (25)
2883:17,17,20,23; 2929:9;2945:19; 2979:6;2985:1,7,16; 2987:17;2988:6,10, 11;2990:2,16,18,24, 24;3009:13;3063:4, 7;3067:9,9;3068:16
Chicago (14)
2947:11,11,13,18, 19,21,22;2948:1,5,6, 9,11;2957:16; 3071:21
Chino (1)
2993:10
Chip (6)
2882:25;2959:14; 2986:8;3015:14; 3021:24;3043:11
choose (5)
2913:14;2923:16; 2965:1;2972:5; 3013:24
chose (8)
2913:14;2930:23; 2946:6;2964:24; 3027:3,14;3029:24; 3048:7
chosen (2)
2905:7;2913:18
Christ (1)
2961:22
Churchill (12)
2892:19;2905:18; 2915:11,14,21; 2917:9;2954:20; 3026:13;3040:6,8, 13;3045:14
circumstances (1)
2943:12
citation (2)
2911:1;2920:21
cite (3)
3072:3,7,9
cited (3)
2936:7;3041:2; 3050:19
citing (1)
3071:4
City (8)
2889:7;2905:19, 19,20,21;2947:19; 2948:1;2995:9
claim (1)
2942:13
claiming (1)
2938:19
clarification (2)
3046:7;3056:22
clarified (1)
2931:3
clarify (8)
2939:18;2941:16; 2987:9;3023:2; 3030:8,25;3056:15, 16
clarifying (1)
3017:22
clarity (3)
2906:25;2914:15; 3005:13
Class (170)
2892:24;2894:9, 14,19;2895:4,4,10, 12,14,25;2896:2; 2897:14,19,20; 2898:22;2899:6,11, 11;2901:5,5;2902:3, 4;2905:11;2906:4,4, 6,8,9,10,11,13; 2916:22;2918:17,17, 19;2924:19,22; 2925:5,8,18,22; 2926:7,20;2927:2; 2928:22;2929:7,9,9, 18,19,19;2930:4; 2934:10,10,10; 2939:7;2940:14; 2941:13;2943:15,17; 2946:13,20;2947:2, 6,12;2948:23; 2949:11,14;2950:4; 2951:4,4,5,12,13,14, 14,14,14,15,17; 2952:5;2957:7,12, 23;2958:9,14,15; 2959:8;2960:7,22; 2961:2,10;2962:1,7, 10;2963:4,10; 2964:12,16;2965:2, 2,4;2968:6;3019:5,5; 3023:10,11,14,24; 3024:3,3,16;3025:9, 10,11;3039:11,17; 3041:10,11,12,13; 3046:5;3052:17,22; 3056:12,12;3057:4, 5,5,25;3058:1,2,3,4, 4,5,7,8,10,10; 3059:11,15,18,18,22, 22,23;3067:15,17, 22,24;3068:1,4,10, 12,13,14,17,21,25; 3070:19,21,23; 3071:10,15;3072:1; 3073:2,5,5,8
classes (3)
2954:3;3019:9; 3052:23
classification (9)
3052:17,22; 3053:3;3056:4; 3057:4;3058:22,24; 3059:5;3068:14
classifications (8)
3053:4,6,8;3056:6, 9;3058:15,17,20
classified (5)
2894:24;2925:14; 3055:3;3057:23; 3058:14
classifies (2)
3058:3,6
clause (1)
2954:12
clear (14)
2923:8,16;2938:6; 2939:8;2952:4; 3003:16,17;3021:25; 3023:1,23;3029:24; 3043:17;3044:11; 3067:20
cleared (1)
3043:12
clearly (1)
3051:14
Clerk (1)
2886:19
clients (2)
2917:1;2937:23
Clifford (1)
2882:1
CLIFTON (141)
2882:12;2884:5, 11;2885:6;2886:16; 2887:11,23;2888:4, 6,9;2890:9,19; 2891:2,9;2892:9; 2893:12,14;2904:3, 13;2905:4,16,23; 2906:2,14,19; 2909:1,15,24; 2910:24;2911:7,9, 16,22;2919:24; 2920:12,15,19; 2921:4,7;2923:3,12, 17;2924:2;2927:7; 2950:18;2952:4,9; 2958:25;2959:2,13, 25;2961:4;2966:10, 13,15,19;2969:10, 12;2973:4,9,13,17, 21,24;2974:1,4,6; 2975:2,12,21,24; 2979:16;2982:19; 2986:4;2991:14; 2996:8;3002:20,24; 3003:5;3005:5; 3011:18;3015:3,10, 13;3016:4,15,22; 3018:25;3020:6,22; 3021:1,13,14,17,23; 3022:11;3025:1; 3029:2,4;3033:5,11; 3034:12;3035:19,21, 23;3038:6;3043:8; 3047:2,6,11;3048:2, 20,23;3049:3,17,21, 24;3050:4,8,12,15, 25;3053:14;3055:5,

13,18,24;3056:19; 3063:15,19;3067:20, 22;3070:21;3072:9, 12,16;3073:19,21; 3074:2,7,10
Clifton's (1)
2926:3
close (5)
2973:24;3009:19; 3050:22,22,23
closer (2)
2975:13;2985:17
CMAB (7)
2984:9,19,20; 2985:4;2989:3,25; 2990:15
Code (3)
2911:2;2935:10; 3057:22
collecting (1)
2990:1
Colorado (3)
2883:15;2976:22; 2995:8
colors (1)
2887:18
column (32)
2895:15;2900:3,8, 8,8,9;2911:17; 2921:17;2922:2,6, 11,15,19,22,24; 2923:7,10,15,18,19; 2924:3,4,6;2932:7, 10,25;2933:6,20; 3005:10;3024:10,16, 20
Columns (9)
2900:3;2932:11; 2933:21,24;2934:13; 3023:19;3024:9,12; 3025:11
combination (1)
2994:18
combined (2)
2968:4;3025:10
coming (9)
2886:14;2931:25; 2978:8;2982:19; 2991:20;3019:20,21; 3033:23;3041:7
comments (4)
2938:16;2939:3,7; 3016:7
commodity (1)
3059:19
common (1)
3041:8
commonly (1)
3057:11
communications (1)
3033:22
communities (1)
2979:15
community (3)
2980:12;2996:17, 25
commute (1)
3049:5
companies (5)
2988:18,19; 2989:20,23;2990:13
Company (5)
2883:21,23; 2945:19;2989:18; 3009:13
comparable (12)
2968:19;2969:13, 17,18;2981:22; 2982:1,2,2;2991:25; 3039:24;3057:23; 3058:5
compare (1)
3024:12
compared (5)
2929:18;2951:1; 2958:2;2962:2; 2979:10
comparison (8)
2896:9;2897:18; 2902:6;2946:4; 3039:15,21,23,24
comparisons (2)
3013:23;3039:9
compelling (1)
3002:21
compete (4)
2995:25;3001:16, 17;3060:11
competing (4)
2960:10;2962:7; 2995:19;3000:5
competition (8)
2917:25;2918:11; 2938:24;2958:21; 2962:18;3001:14; 3060:13,18
competitive (15)
2939:3,25; 2943:12;2957:20; 2958:1;2960:9; 2962:6;2963:16,18, 21;2964:2;2995:16, 18;3020:21;3063:11
competitor (3)
2939:10,20; 2940:5
competitors (5)
2939:9,19,23; 2963:17;2964:15
complain (1)
2943:11
complaining (3)
2939:10,19; 2940:4
complaints (2)
2939:23;2940:3
completely (6)
2929:10;2938:3; 2992:3;3012:18; 3015:25;3018:11
complicated (1)
2992:2
component (4)
2918:21;2983:15; 3059:12;3067:4
compositional (2)
3057:18,21
computation (1)
3028:18
compute (2)
2946:3;3039:24
computed (2)
2899:7,8
computer-generated (1)
2976:10
concentrated (1)
3028:16
concept (9)
2918:7;2952:20; 2953:2,4,8,24; 2954:11;2955:9,13
concern (2)
2928:8;3047:21
concerned (1)
2918:16
Concerning (1)
3002:4
concerns (9)
2929:16;2939:1,1, 14,15;2964:20; 3047:20;3052:16,21
conclude (2)
2974:8;3012:25
concluded (2)
2966:23;3070:2
concludes (2)
2951:11;3014:9
conclusion (5)
2926:11;2943:6,8; 2945:2;3073:1
condensed (2)
3028:25;3056:11
condition (12)
2937:1;2939:21; 2940:7,11,19,23; 2942:10,14;2943:3; 2944:17;2945:13; 2958:4
conditions (20)
2926:9,15,16; 2938:22,24;2939:3, 11;2942:4,5; 2943:22;2944:24; 2958:4;2960:9; 2997:24;3014:17; 3018:1,8,13;3020:2; 3038:15
conducted (2)
2929:25;2943:5
confidentiality (2)
2888:23;3040:1
confirm (1)
2932:6
conformed (1)
3074:7
confused (3)
3005:22;3013:6; 3036:15
confusing (1)
3004:21
confusion (3)
2889:19;2890:6, 20
Congress (5)
2957:11;2961:19; 3046:10,16,17
Congress' (1)
3046:18
connect (1)
2990:15
connected (1)
2891:16
connections (1)
2977:12
con's (1)
3013:22
consecutive (3)
2907:13,14; 3049:8
consent (1)
2982:18
consider (6)
2888:1;2994:8; 3013:15;3014:1; 3047:12;3056:8
consideration (5)
2952:22;2985:19; 2986:18;2994:21; 3018:7
considered (2)
2971:12;2992:24
considering (2)
2995:17;3014:2
consistent (4)
2917:24;2924:18, 22;3070:3
consistently (1)
2925:20
constraints (1)
3017:4
construction (3)
2978:22,23; 2995:7
consult (3)
2906:17;3014:5,8
consultant (2)
2883:20;2976:21
consultants (1)
2980:19
consulted (1)
3014:7
consumed (2)
2947:8;2990:24
consumer (3)
2947:6;2949:4; 3057:11
consumer-type (1)
3056:11
consumption (2)
2947:1,2
Contain (2)
2969:2,5
containing (1)
3057:9
contains (3)
3057:22;3073:10, 15
content (1)
2974:2
context (3)
2923:17,17; 3009:20
continue (11)
2887:4;2906:20; 2915:4;2916:14; 2973:4;2974:6; 2977:9,21;3002:10; 3004:12;3072:17
CONTINUED (7)
2887:12;2937:17; 2941:7;2977:4,8,10; 3056:5
continues (1)
2922:5
Continuing (1)
2976:25
contracts (1)
2927:3
contrast (1)
2978:1
contributed (1)
2930:25
control (1)
2934:15
convenience (1)
2942:8
conventional (1)
2906:11
conventionally (1)
2906:3
co-op (1)
2982:24
Cooperative (13)
2895:9;2897:11; 2901:24;2902:1; 2914:15;2915:2,4, 16;2932:18;2953:2; 3005:25;3034:25; 3038:13
cooperatives (17)
2882:16;2916:13, 22;2918:15; 2929:25;2938:18; 2940:6;2951:17; 2952:21;2979:6;

3008:4;3010:6; 3038:20;3052:9; 3059:3,8,14
Cooperatives' (3) 2932:3;3049:11; 3059:16
Cooperatives/ (1) 3049:18
co-ops (1) 2978:7
copier (2) 2893:2,8
copies (11) 2885:20;2889:19; 2893:8,9,14;2909:4; 2910:17;3055:6,16; 3074:3,7
copy (9) 2920:6;3048:7,8, 10,10,13,19,24; 3051:4
corrected (1) 3055:1
correction (2) 3047:22;3051:10
correctly (4) 2900:2,22; 2923:17;3003:20
correlated (1) 2999:6
corresponding (1) 3058:14
cost (11) 2929:18,21; 2930:16;2934:17; 2971:22,22;2983:13; 2994:15;3063:3,8,9
costs (5) 2925:21;2929:7; 2930:20;2962:19; 3053:11
Counsel (2) 2882:9,11
count (1) 3044:9
counties (2) 2887:18;2948:10
countries (2) 2988:25;3000:21
country (7) 2978:11;2979:10; 2993:15;2994:6,16; 3019:23;3038:20
County (13) 2892:19;2905:18; 2915:11,15,22; 2917:9;2947:15; 2954:21;3026:13; 3040:6,8,13;3045:14
couple (11) 2887:16;2979:6,6, 20,22;2986:10; 2987:8,14;2989:16; 2993:11;3055:14
course (3) 2920:22;2983:25; 2995:3
court (7) 2885:8;2889:18; 2893:5;2922:23; 3004:3;3051:2,3
courtesy (2) 3048:13,19
cover (2) 3049:15,16
covered (3) 2976:21;2983:5; 3026:1
cow (2) 2984:24;2985:3
cows (13) 2976:18;2977:8, 10,16;2979:3; 2980:23,24;2981:9, 13;2984:15;2992:24, 24,25
crafted (1) 3018:13
cream (3) 2985:15;3057:7,9
create (7) 2931:5,9;2936:19; 2952:15;2953:8; 2998:15,15
created (11) 2918:6;2931:4,17; 2942:4;2955:20,23; 2956:10,16,17; 2957:4,21
creates (2) 2943:13;3020:1
creating (7) 2938:21;2940:7; 2942:14;2943:2,2, 21;2956:5
credit (3) 2943:13;3042:21, 25
credits (3) 2924:12;2944:7; 3025:25
crews (1) 2978:22
criteria (1) 2925:6
criterion (1) 3057:20
cross-examination (21) 2887:6,12; 2906:20;2919:10; 2927:9;2945:17; 2973:4;2974:7; 2979:19;2982:22; 2986:6;2987:12; 2991:16;2993:7; 3003:8;3009:11; 3011:19;3012:9; 3021:5;3022:13; 3043:5
cross-examine (1) 2904:19
cross-examined (1) 2886:12
cross-examiners (1) 3040:20
CSO (3) 2895:11;2950:13; 2953:23
cure (1) 2936:25
cured (1) 2954:7
cures (1) 2931:5
current (15) 2937:22;2953:10; 2955:14;2957:24; 2960:20,24;2961:8; 2978:19;3027:24; 3041:5,18;3042:1; 3046:10;3057:17; 3060:20
currently (4) 2953:21;2962:10; 2963:25;2964:1
customers (4) 2938:23;2939:7; 2940:4;2943:11

D

D1 (1) 3029:22
DA-91-013] (1) 3068:20
Dairies (10) 2882:17,24; 2936:16;2978:23; 2981:12,25;2999:3, 5,15;3052:14
Dairy (103) 2882:2,4,7,15,17, 19;2883:3,6,9,11,17; 2884:1,3;2889:22; 2892:22;2902:23; 2907:6,8,10,11; 2908:14;2913:2,15; 2927:13;2929:6,8, 18;2932:2,4; 2933:12;2936:14; 2949:16,25;2972:12, 14;2973:20;2976:4, 18;2977:13,15,15, 21;2978:2,3,4,10,13, 19,22,24;2979:7; 2980:21;2982:1; 2983:15;2984:22; 2985:5,6,21;2986:1, 9;2988:11;2991:21; 2992:15;2993:2,3,3, 10;2995:17,19; 2996:17,21,23; 2997:2,6,12; 2998:16,21;2999:10, 13,17,18,20,21; 3000:8;3001:6,7,16; 3004:1,5,7,8;3052:7, 14;3053:22;3056:6; 3058:13;3060:10,10, 13,18,24;3063:6; 3072:22
dairyman (4) 2973:11;2976:17; 2980:20;2998:13
Dairymen (14) 2884:10;2976:15; 2978:6,15;2979:13; 2980:3,19,21,23; 2981:1,3;2991:11; 2994:20;2995:25
dairymen's (1) 2991:10
Dakota (1) 2995:9
dare (1) 3016:13
data (14) 2945:23,25; 2947:5;2949:17,20, 24;2950:3,25; 2951:22;3032:23; 3039:3,8,18,20
dated (4) 2891:15,17; 2892:3;2920:25
dates (1) 3019:24
daughter (2) 3002:6,6
David (2) 2929:3;2930:15
David's (1) 2929:20
Davis (2) 2883:2;2979:3
day (7) 2886:11;2959:15; 2980:11;3036:6,13; 3044:9;3073:20
days (13) 2907:13;2942:7; 2969:23;3004:1,6, 22;3005:15;3029:24, 25;3030:2,6; 3031:13;3036:13
day-to-day (2) 2928:8;3030:3
DC (3) 2883:2;3033:14, 18
de-access (1) 2971:10
deafening (1) 3047:7
deal (4) 2892:19;2919:4; 2987:15;3019:19
dealt (1) 2935:8
debt (2) 2997:11;3036:10
decades (1) 2962:13
December (1) 2889:7
decided (3) 2928:13;2929:5; 2936:19
decimal (3) 2897:4,4,5
Decision (31) 2889:12;2918:3,6, 19;2919:11,12; 2920:24;2924:11,13; 2927:23,24;2928:1, 14,25;2929:3; 2940:21;2941:1; 2955:21;2956:18; 2970:21;2992:13; 3019:11;3046:11; 3057:16,17;3067:6; 3068:12,13,17; 3070:2,4
decisions (5) 2889:2;2926:25; 2940:10;2968:2; 3019:25
declined (2) 2888:22;2889:1
de-designates (1) 2915:5
deduct (3) 2932:25;2933:6, 23
deducted (1) 2933:8
deemed (1) 2942:10
deeply (1) 2966:2
define (4) 2955:4;2987:25; 3036:19;3042:15
defined (9) 2950:13;2989:11; 2992:15;2999:8; 3013:5;3026:20; 3032:11,12;3037:9
defines (1) 3058:2
definition (15) 2954:16,17,17; 2992:17;2997:5; 3001:15;3027:21; 3032:6,11;3037:22;

3042:20;3043:1,15;
3057:10,25
definitions (6)
3042:22;3056:9;
3057:6,24;3058:4,9
definition's (1)
3057:17
definitive (13)
2983:11;2987:22;
2988:3,9,10,11,12,
13,23,25;2989:22;
2990:5;3018:19
degree (1)
2976:20
DeJONG (2)
2883:16,16
D-e-J-O-N-G (1)
2883:16
delay (1)
2965:8
delaying (1)
2965:16
deliberations (1)
3046:11
deliver (9)
2898:12;2915:21,
22;2926:7;2960:15;
2969:23;2971:21;
3031:15;3042:20
Delivered (17)
2895:9;2897:11;
2898:2;2901:25;
2902:2;2914:13,22;
2915:3;2916:9;
2952:16;2970:24;
3004:16;3006:5,14,
19;3038:4,10
deliveries (2)
2926:6;3010:8
delivers (1)
2895:3
delivery (3)
3010:6,14;
3040:16
demand (4)
2958:1;2965:4;
2994:12;3001:15
demonstrate (3)
2924:18,21;
3030:2
demonstrated (1)
2925:7
Dennis (7)
2882:21;3047:14;
3049:10,14,18;
3050:14;3051:24
D-E-N-N-I-S (2)
3050:14;3051:24
Denver (3)
2883:14;2990:3,6
deny (1)
3009:3
depart (1)
3051:8
Department (14)
2884:16;2886:19;
2921:10,19;2929:24;
2936:14,19,21;
2976:14;2991:19;
2992:13;3008:15;
3027:24,25
depending (3)
2958:11;2986:16;
3070:1
depends (1)
2959:18
depool (4)
2926:20;2968:3,
12;2969:2
depooling (2)
2967:23;3014:16
Deputy (1)
2882:2
derivation (1)
2946:5
derived (4)
2950:25;2951:22;
2960:12;3023:11
deriving (1)
2949:20
describe (4)
2956:5,9;2984:19;
3038:3
described (23)
2907:7;2914:12,
20;2916:8;2917:10;
2942:8;2944:9;
2956:16;2961:12;
2971:20;3004:16;
3005:24;3006:5;
3010:25;3014:10;
3017:9;3034:24;
3035:15;3036:23;
3038:9,13;3039:5;
3041:2
describes (4)
2954:20;2966:24;
3059:17,21
description (4)
2988:17;3010:12,
25;3039:12
designated (2)
2886:19;2914:25
designation (1)
3040:7
desire (3)
2928:7;3002:7;
3018:16
desk (1)
2893:7
detail (3)
2882:6;3010:5;
3041:2
determination (1)
2961:9
determine (7)
2903:17,23;
2946:20;3028:18;
3042:18;3067:14;
3068:24
determined (1)
3063:2
determining (6)
2892:10;2904:4;
2925:7,16;2926:13;
3057:20
devastating (2)
2978:14;2983:16
develop (1)
3059:18
developed (3)
2979:7;3060:20;
3063:22
development (2)
2919:3;2985:21
DFA (32)
2889:25;2890:3;
2891:16,24;2892:4;
2895:3,20;2896:8,
11,24;2898:1,7;
2902:8;2916:25;
2927:19;2928:1,14;
2929:4,5;2930:1;
2931:8;2967:19,19,
20;2970:25;2978:7;
2981:20;3011:6,8,
12;3017:17;3018:9
DFA's (4)
2889:1;2896:15;
2927:22;2966:25
difference (25)
2897:19;2902:13;
2903:15;2917:6;
2940:10;2944:14;
2945:6;2962:24;
2979:11;2982:3,14;
2986:12,19;2987:4;
2991:23;2992:1,6,7,
9;3042:3;3070:12,
13,15;3071:2;3073:5
differences (9)
2887:25;2946:25;
2948:4;2961:1;
2968:4;2969:21;
2991:4;3041:4;
3042:5
different (37)
2904:8,9;2905:1;
2926:25;2931:25;
2933:11;2937:20;
2940:13,18;2941:14;
2943:20;2944:2,3;
2952:25;2957:7;
2958:10,22;2959:19;
2971:18;2985:20;
2988:13;2989:17;
2990:6;3001:25;
3006:25;3007:3;
3023:9;3025:6;
3028:1;3036:6;
3043:16;3044:15;
3045:10;3051:11;
3067:14;3071:13;
3073:1
differential (4)
2958:18;3046:5,
10,12
differentials (2)
2961:2;3046:19
differently (5)
2944:8,9;2975:15;
3007:10;3026:20
difficult (7)
2967:16;2989:22;
2999:2;3019:12;
3022:23;3047:9;
3050:24
difficulty (1)
2924:10
direct (5)
2959:10;2976:1;
2979:23;2983:3;
3051:18
directed (1)
2928:14
direction (5)
2936:21;2960:1;
2964:20;2988:23;
3046:18
directions (1)
2936:25
directly (7)
2894:8;2914:19;
2918:25;2950:10;
2957:14;2983:25;
3007:19
Director (3)
2883:11,14;
3051:25
disadvantage (1)
2971:17
disagree (2)
2928:17;2968:14
disagreement (1)
2929:12
discount (1)
3070:25
discuss (7)
2889:1,21;
2909:10;2917:15,18;
2923:1;2936:2
discussed (12)
2888:19;2895:22;
2901:2;2903:9;
2916:3;2922:17;
2924:12;2952:20;
2957:3;3013:18,22;
3051:2
discusses (1)
2922:11
discussing (10)
2888:22;2892:18,
22;2895:2;2897:25;
2898:4;2921:19,22;
2959:7;3003:18
discussion (13)
2914:3;2915:10;
2916:16;2921:14,15;
2922:5,22;2923:9;
2936:9;3009:23;
3015:16;3030:19;
3039:7
discussions (1)
2917:15
disincetives (2)
2969:2,14
dislocation (3)
2957:20;2964:11,
15
disorder (1)
2954:6
disorderliness (1)
3040:23
disorderly (18)
2937:1;2938:21;
2939:11,20;2940:7,
11,19,23;2942:4,5,
10,14;2943:3,22;
2944:17,24;2945:12;
2953:10
disparate (1)
2971:7
disparity (1)
3020:1
disposed (1)
3063:8
disproportionate (1)
2928:21
distance (1)
2958:11
distances (1)
2947:22
distant (1)
2957:5
distinction (1)
3045:25
distinctions (1)
3015:24
distinguish (1)
2954:23
distressing (1)
3002:3
distribute (2)
2958:21;2960:8
distributed (7)
2910:25;2920:1;
2946:1;2948:18;
2950:2;2987:24;
2988:1
distributes (1)
2948:14
distributing (23)
2892:24;2922:4;
2923:20;2924:9,13,
15;2937:5;2947:18;

2954:16,23;2958:3; 2970:12;3010:7,8, 19;3026:16; 3028:17;3030:10; 3031:4,5;3036:20, 24;3037:13
distribution (6) 2931:10;2962:18; 2964:6;3019:21; 3026:18;3036:25
distributor (2) 2957:20;3031:16
distributors (6) 2958:20,23; 2962:8,10;2963:24; 2964:2
district (1) 2984:10
dive (1) 2927:16
diversion (27) 2915:25;2916:10, 14;2967:13;2971:4; 3004:1,6,22;3005:4; 3006:20;3007:5; 3010:16;3029:7,10; 3030:9,9;3031:12, 19;3037:7,12; 3038:11;3040:12,13; 3042:13;3044:14,17; 3045:9
diversions (7) 2916:5;3004:14; 3010:7,9,16; 3029:18;3058:25
divert (6) 2969:25;3005:14, 19;3006:17; 3031:15;3040:12
diverted (5) 3005:19,24; 3006:11;3007:8; 3038:12
dividing (1) 3067:12
docket (4) 2886:16,18; 2889:9,23
document (28) 2887:21;2889:21, 24;2890:3,10,11,21; 2891:13,13,22; 2893:1,10;2904:17, 19;2908:15,19,24; 2910:14;2919:16,19; 2920:8;2921:10; 3049:9,13,25; 3051:8,11,13
documents (7) 2893:3,4;2908:17; 2909:7;3047:21; 3049:6,7
dollar (1) 2939:16
dollars (1) 2943:16
domestically (1) 2988:21
done (23) 2894:2;2895:12; 2900:15,22;2901:14; 2936:20;2956:14; 2958:19;2964:18,22; 2972:21;2978:9; 2979:2;2980:10; 2981:18;2985:22; 2994:22,24;2995:7; 3024:5,6;3036:9; 3039:9
double-sided (1) 2920:9
doubt (1) 2891:20
down (16) 2886:3;2897:10; 2916:4;2922:25; 2923:3,10;2996:5; 3004:14;3009:16; 3021:13;3025:5; 3028:14;3032:16; 3038:4;3047:4; 3051:3
dozen (1) 3052:12
DR (6) 2882:23;2883:8; 2906:18;3012:8,14; 3013:25
draft (1) 2935:16
drafting (2) 3013:12;3017:4
drawn (1) 2941:2
drinking (1) 2929:7
dry (10) 2895:22;3068:9, 15;3070:10,11,13, 17;3072:19,21,23
due (2) 2979:2;3071:11
duplicates (1) 2922:14
duration (1) 2887:1
During (6) 2929:24;3004:8; 3012:8;3047:22; 3057:8,16
Dutch (1) 2973:21
duties (2) 3048:17;3052:3

E

earlier (9) 2888:19;2890:7; 2893:2,8;2919:20; 3001:8;3014:10; 3037:8;3043:3
early (4) 2927:19;2942:7; 2966:5;3074:15
earn (1) 3031:12
earning (1) 3042:13
earns (1) 3042:21
East (2) 2988:20;3020:14
Eastern (2) 3071:18,20
easy (2) 3033:18,19
economic (8) 2943:5;2956:5; 2970:1,4;2978:25; 2979:2;3002:12; 3027:16
economically (1) 3027:11
Economics (2) 2883:14;3028:7
Economist (1) 2883:9
edge (1) 2959:23
effect (5) 2928:21;2947:5; 3013:25;3041:21; 3045:7
effective (2) 2923:22;2965:5
effectively (5) 2897:19;2898:11; 2907:17;2911:13,19
effectuate (1) 3058:20
efficiencies (2) 2993:3;2994:23
effort (1) 2965:16
either (17) 2913:11;2915:13; 2918:17;2934:2,21; 2937:25;2946:7; 2956:22;3017:8; 3019:20;3026:4; 3034:22;3035:16; 3037:19;3041:7; 3051:8;3053:9
elaborate (5) 2991:25;3026:19; 3027:3;3028:21; 3032:1
elect (1) 2968:11
elected (1) 2984:10
elements (1) 3042:11
elevate (1) 2910:7
eligible (5) 2925:16;2926:14; 2991:6;3003:25; 3004:6
eliminates (1) 3051:12
elimination (4) 2892:5;2917:17, 21;2921:21
Elliott (11) 2882:3,3;2893:13; 3049:17,20;3055:5, 15,18,22,23;3074:2
E-L-L-I-O-T-T (1) 2882:3
else (10) 2884:11;2886:22; 2891:5;2916:7; 2930:25;3003:5; 3006:24;3018:24; 3046:23;3074:13
else's (2) 2944:6;3017:8
elsewhere (1) 2945:23
Elvin (3) 2882:18;2887:10; 3037:18
E-L-V-I-N (2) 2882:18;2887:10
em (2) 2885:22;3000:2
e-mail (1) 3033:19
emerged (1) 2996:17
employ (1) 2964:12
employed (3) 2980:13;3051:25; 3052:7
employs (1) 2980:18
enamored (1) 2994:19
end (18) 2885:9;2886:11; 2901:16;2909:5; 2919:22;2956:8; 3011:22;3013:3; 3019:11;3020:5; 3024:14;3055:2,3, 19;3056:1;3063:25; 3070:22;3073:24
ended (5) 2906:10;2932:12; 3000:10,12,14
ending (2) 2922:13;2924:6
ends (2) 2922:22;2923:22
ENGLISH (79) 2882:25;2883:1; 2887:6,13,15,25; 2888:5,8,15;2891:9, 11,12;2892:16; 2893:18;2894:1; 2904:6,20;2905:5, 10,15,18;2906:1,3, 16,21,22;2909:3,21; 2910:8,12,16,25; 2911:4,8,11,17,23; 2920:3,16,17,22; 2921:5,8;2922:24; 2923:3,5,13;2924:4; 2926:2;2927:17; 2931:22;2932:5; 2935:21;2959:13,14, 14;2986:7,8;3003:7, 9,11;3004:10; 3005:5,8,12; 3015:10,12,14,14; 3016:6;3021:24,24; 3022:4,7;3030:8; 3037:19;3043:8,10, 11
E-N-G-L-I-S-H (1) 2883:1
enhancement (5) 2952:2,21;2953:3, 8,9
enlighten (1) 2905:5
enough (11) 2909:4;2911:7; 2930:2,9;2966:3; 2972:17;2978:19; 3000:11;3009:22; 3013:22;3051:14
ensure (3) 2924:25;2925:4; 2978:9
entered (1) 2885:25
enters (1) 2998:4
entire (2) 2919:16,19
entirely (2) 2971:5;3013:21
entirety (1) 2949:5
entities (1) 2938:8
entitled (1) 3049:13
entity (3)

3048:2,4,9
enunciated (1)
3051:14
environment (3)
2997:24;3021:19;
3063:1
equal (6)
2926:19;2940:15,
17;2943:9;2978:10;
3019:22
equalized (1)
2917:25
equally (2)
2987:25;2993:1
equals (1)
2979:3
equate (1)
2992:7
equated (1)
2992:16
equation (2)
2961:25;2973:2
equatively (1)
2987:5
equitable (4)
2931:10;3013:1,5,
8
equity (2)
2997:11;3012:5
equivalent (3)
2983:7;3032:20;
3057:19
ERBA (5)
2882:23,23;
3012:14;3013:25;
3036:10
E-R-B-A (1)
2882:23
Erba's (1)
3012:8
Eric (1)
2882:23
E-R-I-C (1)
2882:23
Erin (4)
2991:18;3022:15,
16;3034:15
error (1)
2910:3
errors (1)
2897:3
escapes (1)
2985:18
ESL (1)
2954:17
especially (1)
2913:9
essence (6)
2895:15;2908:6;
2933:10;2934:10;
2968:1;2982:12
essentially (5)
2916:20;2947:7;
2953:20;3041:18;
3058:9
establish (2)
2894:19;3014:2
established (3)
2962:17;3060:25;
3068:10
establishing (4)
2922:7,25;
2923:11;3068:21
establishment (2)
3013:15;3073:2
estimated (2)
2950:22;3060:1
estimation (3)
2987:7;2998:19;
2999:24
etcetera (5)
2959:8;3045:9;
3049:14;3056:18;
3068:20
evaluate (1)
3016:24
evaporated (1)
3056:11
even (17)
2898:10,11;
2909:1,18;2918:9;
2944:14,23;2971:23,
23;2973:22;
2985:10;2993:16;
3001:21;3007:10;
3016:2;3048:6;
3073:4
evening (1)
3074:17
event (3)
2936:24;3045:5;
3051:1
everybody (3)
2920:6;3017:17;
3072:13
everyone (5)
2891:5;3023:4;
3034:2,5;3050:5
evidence (14)
2888:11,12,14;
2892:12,13,15;
2904:18;2922:12;
2928:7;2966:20;
2975:9;3015:18;
3050:9;3067:6
evolved (1)
2962:13
exact (4)
2955:12;2967:6;
2998:19,20
exactly (6)
2900:15;2948:2;
2960:21;2969:7;
2998:12;3009:18
examination (6)
2905:6;2976:1;
2979:23;3036:1;
3045:2;3051:18
example (16)
2917:16;2926:18;
2934:19;2936:24;
2944:2;2955:14;
2969:20;2970:25;
2988:7;2990:2;
3006:6;3008:13;
3010:9;3024:11,15;
3030:10
examples (1)
2936:14
exceed (1)
3005:25
Excellent (1)
2886:16
except (7)
2937:24;2938:10;
2954:1;3017:17;
3025:8;3029:18;
3046:20
exception (1)
3018:4
exceptions (3)
3058:1,6;3068:3
excerpts (1)
2909:25
excess (8)
2914:12,22;
2915:3;2916:8;
2941:19,24;3038:4,
10
exchange (2)
3009:14;3067:10
exclusive (1)
3041:22
exclusively (2)
2981:15,16
excuse (5)
2898:18;2911:2;
3052:18;3060:15;
3071:7
Executive (3)
2883:11;2927:22;
2928:3
exempt (26)
2937:24;2938:4,9,
11,15,20;2939:4,16,
24;2940:7,13;
2941:8,12,14,19;
2942:13,24;2945:3,
4,7;3007:21;3008:9,
20,22,25;3029:19
exempted (1)
2937:17
exemption (3)
2941:6;2943:13;
2945:8
exemptions (3)
2937:13;2941:8,
19
exhibit (106)
2885:25;2887:17;
2888:5,10,11,13;
2889:20,23,23;
2890:5,7,10,12,14,
23,24,25;2891:2,3;
2892:8,12,12,14;
2893:12,15,16;
2894:3,16;2898:17,
21;2899:17;
2903:18;2904:2;
2905:24;2906:15,24;
2908:16,25;2909:2,
4,11,17,25;2910:1,3,
4,7,10,19;2911:5,21;
2913:6,7,18;2914:5;
2915:12;2919:25;
2920:19;2927:17;
2929:4;2931:16;
2935:13;2936:1;
2945:22;2950:18;
2952:11;2966:7,8,
17,23;3003:12;
3005:6;3012:1;
3014:14;3023:7;
3025:1;3029:3;
3033:15,16,23;
3037:16;3039:7;
3043:14;3047:18;
3049:11,19,19,21,22,
24;3050:1,2,5,5;
3051:4,5,21;3055:1,
6,19;3057:1;
3058:11,12,15;
3059:16;3074:3
exhibits (19)
2884:24;2885:11,
14,20;2909:16;
2945:23;2946:7,9;
3033:6;3034:3;
3047:17,23;3048:5,
6;3049:9,13,15,24;
3050:1
exist (2)
2956:6,20
existing (6)
2901:10;2907:18;
2926:5;2965:1;
3002:12;3035:17
exists (2)
2908:3;2953:21
exited (1)
3001:1
expand (1)
3051:9
expanded (3)
3035:11,11;
3068:17
expansion (1)
2994:7
expect (3)
2925:20;2929:6;
3015:1
expected (1)
2981:24
expecting (3)
2896:15;2905:6;
2998:20
expense (1)
2929:10
expenses (1)
2982:11
experience (6)
2996:16;2997:12,
22;2998:21;3000:7;
3001:22
experienced (2)
2996:7;3002:1
expert (1)
3015:21
expertise (1)
3040:2
experts (2)
3015:17;3016:1
explain (4)
2934:25;2945:12;
3024:8;3058:16
explained (4)
2905:10;2928:10;
2945:24;2946:3
explains (1)
2944:16
explanation (1)
3048:22
explicitly (1)
3053:9
exploit (1)
2971:16
explore (2)
3016:11;3040:4
export (1)
3000:20
exports (1)
3000:21
expressed (1)
2928:9
expressly (1)
3053:10
extent (9)
2895:3;2940:9;
2941:12;2972:19;
3033:18;3043:25;
3044:5;3048:2,16
extra (1)
2910:17
extremely (1)
3047:12
eye (1)
2939:2

F

facilitate (1)
2985:25
facilitating (1)
2993:24
facilitation (1)

2985:9
facilities (1)
2977:19
facility (8)
2895:19;2915:15;
2977:16;2981:17,17;
2997:25;2999:14;
3000:14
fact (9)
2892:22;2904:21;
2916:12;2940:22;
2943:9;2963:8;
2979:9;2983:16;
3010:13
factor (4)
2960:19,20;
2968:5;3070:19
factors (16)
2942:7;2958:1,13,
15,17;2960:13;
2994:18;3002:16,18;
3019:1;3041:1,15,
16;3059:12;3073:11,
16
fair (15)
2904:23;2929:16;
2937:21;2941:9,10;
2959:25;2966:3;
2988:17,17;2994:11;
3006:20,21,22;
3009:22;3013:22
fairly (3)
2936:15;2972:1;
3020:18
fairness (1)
3012:5
fall (3)
2915:19,23;
3042:25
Fallon (14)
2895:21,22;
2896:18,25;2898:3,
12;2902:18;
2903:22;2905:9,13,
19;2913:12;
2971:25;2972:22
falls (1)
3018:12
familiar (8)
2948:2;2984:19;
2990:19;3017:25;
3018:3,5;3032:10;
3046:13
familiarized (1)
2986:1
family (1)
2980:12
fan (1)
2984:14
far (18)
2894:20,21;
2930:2,9;2941:7,19,
24;2946:14;2954:4;
2960:3;2972:20;
2973:19;2980:6;
2985:20,21;2987:4;
2988:10;3045:23
Fargo (1)
2996:20
farm (5)
2970:17,21,22,24;
3031:14
farmer (23)
2907:7,8,11,11;
2908:14;2913:2,2,
15;2976:4;2991:5,
21;2992:15;
2993:10;2997:13;
2998:13,16;3000:4,
8;3001:7;3004:1,5,7,
8
farmer-owned (1)
2883:17
farmers (15)
2882:15,17,19;
2892:23;2929:6,8,
19;2995:17,19;
2998:21;2999:10;
3001:6;3012:17;
3052:14;3063:6
farmer's (1)
3001:16
farms (4)
2952:17;2972:12,
14;2981:8
farther (1)
2934:21
fast (1)
2885:21
fat (3)
2950:6;2982:2;
3059:23
fat-free (1)
2950:7
favorable (1)
2918:7
feature (1)
2925:24
features (1)
2953:9
February (1)
2950:1
Fed (2)
3068:23;3070:8
Federal (135)
2882:6;2892:5,5;
2894:11;2895:11;
2897:13,16,25;
2898:18,22,24;
2901:2;2902:3,4,16,
24;2905:12;
2907:18;2908:9,15;
2911:2,2;2913:9,21;
2919:14;2920:18;
2921:1,2;2924:24;
2925:3;2926:5;
2927:20;2932:7,10,
12,18;2936:7;
2944:2;2946:5,18;
2948:1;2951:1,14;
2953:10,25;2955:10,
13,23;2956:6;
2960:14;2962:24;
2963:9,14;2972:11;
2978:7;3005:6,9;
3008:17;3017:18,23;
3018:1;3019:5;
3020:1,20,25;
3021:9,15,17;
3022:1,2;3023:19;
3024:1;3025:9,12;
3032:25;3039:15,20;
3040:2,22;3041:11;
3042:6;3050:20;
3052:6,11;3053:2,3,
4,6,7,13,21,21;
3056:4,5,7,7;3057:5,
8,15,23;3058:1,5,7,
10,14,21;3059:10,
14,25;3060:6,7,8,11,
19,21,23;3063:10;
3067:1,3,3,10,13;
3068:11,19;3071:5,
8;3072:7,10;3073:7,
9,10,11,14,15,16
fee (1)
2967:20
feed (7)
2885:3,5;3003:3;
3033:6;3034:2;
3048:4,5
feel (5)
2886:24;2978:8;
2996:15;3016:17;
3034:5
fees (2)
2971:10,10
fellow (5)
2976:15;2978:6,
15;2979:13;2980:3
felt (3)
3013:23;3027:9;
3030:1
few (3)
2983:2;2991:22;
3053:6
fewer (2)
2962:14,14
fiat (1)
3027:7
field (3)
2885:4;2976:21;
2978:10
fifth (2)
2894:17;3055:3
figure (1)
2942:12
figures (1)
2987:3
filed (1)
3038:2
final (10)
2889:2,12;
2919:11,12;2920:23;
2935:19;2965:8;
3029:14;3057:16,16
finally (2)
2919:3;2971:25
finances (1)
2984:3
financial (4)
2983:22;2996:25;
2997:2;3000:9
find (11)
2886:1,3;2910:1;
2945:24;2946:7;
2977:3,24;2990:17;
2998:17;3002:12;
3005:6
fine (7)
2886:23,24;
2888:3;2922:18;
2988:5;2990:23;
3003:16
finger (1)
3024:24
finish (1)
3072:15
finished (1)
3035:22
firm (1)
2883:1
first (45)
2885:11;2891:18;
2892:3;2895:13,15;
2897:9,20;2904:6;
2908:19;2910:19;
2917:15;2921:11,17;
2922:1,6,11,22;
2923:10,25;2924:5;
2951:11;2952:12;
2953:18,18;2959:15;
2983:19,20;2993:12;
3004:8,19;3005:10;
3006:10;3008:8;
3012:3;3016:6;
3020:2;3021:3;
3024:20,22;3029:10;
3038:1;3049:9,11;
3073:22;3074:3
firsthand (1)
2939:4
fit (3)
2890:14;2913:14;
2961:16
fits (1)
2890:18
five (16)
2936:16;2969:23;
2999:19,20;3004:1,
6,22;3005:15;
3023:25;3029:24;
3030:2,5;3031:13;
3044:9;3071:13;
3072:13
five-day (4)
3029:22;3040:16;
3043:18;3044:6
five-minute (1)
3040:3
fixed (1)
2938:11
floor (1)
2979:17
flow (4)
2958:22;2960:10;
2977:22;3060:23
fluctuated (1)
3071:3
FLUEGEL (29)
2973:8,10,10,13,
14,15,19,23,25;
2974:3,5;2975:3,4,7,
11,16,19;2976:3;
2979:16,17,25;
2982:21;2986:5,8;
2991:15,18;3002:21,
21,23
F-L-U-E-G-E-L (2)
2973:16;2975:20
Fluegel's (1)
2975:22
fluid (16)
2917:25;2918:12;
2925:21,24;2949:18;
2985:8,16,17;
3019:21;3031:15;
3038:24;3057:6,7,
12,14,17
flush (1)
3047:9
fly (1)
3035:7
FMMO (22)
2893:25;2899:17,
24;2900:7,11,21;
2901:7;2902:4,4,18;
2903:3,5,14,16,18,
24,25;2913:11,11;
2957:24;2960:20;
3067:11
FMMO's (2)
2951:12;3068:11
FO135 (1)
2890:1
focus (6)
2914:7;2919:18;
2922:8,16,21;
2959:10
focused (3)
2918:19;3011:22;
3012:13
focusing (3)
2914:3;2915:11;
2923:6

follow (7)
2896:4;2897:22;
2898:19;2916:4;
2931:22;3030:24;
3035:6
following (6)
2886:8;2919:9;
2924:5;2936:20;
3011:10;3038:15
follows (2)
2900:25;2901:1
Food (1)
3057:22
Foods (2)
2883:14;2884:3
foolish (1)
3002:15
forecast (1)
3052:4
foreign (2)
2985:19;3000:21
forgot (2)
3015:15;3017:22
forgotten (2)
3015:15;3036:15
form (7)
2935:19;2950:2,4;
3055:3,4,9,11
format (2)
2900:25;2901:1
formed (1)
2977:7
former (1)
2888:19
formerly (1)
2985:2
forms (1)
3058:20
formula (9)
3059:15,17,19;
3060:6;3067:14;
3068:24;3070:19,23,
24
formulae (1)
3060:20
formulas (4)
2992:2,3;3019:24;
3052:22
formulas' (1)
3060:22
forth (1)
2977:11
forward (10)
2884:12;2887:24;
2888:2,3;2960:24;
2973:9;2975:3;
3011:18;3019:18;
3033:20
found (6)
2908:14;2942:5;
2975:6;3003:1;
3034:21;3059:16
four (9)
2922:16;2938:8;
2952:24;2977:18;
2981:14,15;3024:3;
3036:13,13
four-state (1)
2976:21
fourth (2)
2896:16;3036:6
free (1)
2886:25
freely (1)
2968:11
frequency (1)
3014:16
frequent (1)
2938:23
frequently (1)
2955:10
Friday (19)
2886:6,7,11;
2887:17;2888:18;
2892:17;2895:2;
2897:25;2898:4;
2908:17;2909:8;
2914:3;2915:10;
2919:8;2923:16;
2926:4;2945:24;
3024:8;3025:23
front (7)
2893:7,18;
2909:16,16;2956:8;
2965:21;3024:8
fuel (1)
3000:24
full (14)
2923:21;2924:1,5,
5;2932:3;2950:24,
24;2951:8;2952:13;
3014:15;3025:10;
3055:20;3073:22;
3074:3
fully (5)
2937:23;2938:9;
2940:9;3008:5,14
fun (1)
2966:4
function (8)
2901:16;2955:2;
2957:25;2970:21;
2985:4;2991:8;
3030:6;3042:14
further (9)
2927:6;2945:16;
2955:4;2959:12;
2991:13;3002:19;
3056:22;3058:16;
3070:4
future (2)
2978:20;3002:8

G

gallons (2)
2950:5;3039:13
game (1)
2971:16
gave (3)
2956:18;2967:24;
2983:3
gee (1)
3020:3
General (9)
2882:9,11;2914:3;
2931:14;2985:14;
2990:4;2992:4,5;
3020:11
Generally (3)
2962:16;2967:14;
2997:23
generate (4)
2896:6,8,24;
2898:8
generated (1)
2925:18
generation (1)
3000:18
generations (1)
3026:23
generous (1)
3015:19
genetic (1)
2980:21
gentleman (1)
2977:7
Gentlemen (1)
2976:12
Geoffrey (1)
2993:9
G-E-O-F-F-R-E-Y (1)
2993:9
geographical (1)
2985:17
geographically (1)
3020:7
geography (1)
3039:21
German (1)
2973:15
Germans (1)
2973:17
gets (5)
2917:22;2919:1;
2939:10;3042:21;
3050:24
given (5)
2889:24;2917:24;
2918:6;2919:19;
3002:8
gives (3)
2939:24;2990:12;
3024:18
giving (2)
2907:20;2997:7
glad (3)
2960:1;2961:22;
3024:5
glaring (3)
2992:7,9,11
goal (5)
2931:4,8;2936:11,
13;3013:4
goes (5)
2923:1;2936:9;
2994:8;3027:17,18
gold (1)
2984:24
Good (43)
2882:1,5,8,10,14,
18,21,23,25;2883:5,
8,10,13,19,22;
2884:2,7,9,17;
2887:14,15;2927:11,
14;2945:24;2974:4,
10,13;2975:15,19;
2976:3;2982:25;
2986:8;2991:18;
3003:10,11;3010:12;
3021:23;3022:15,16;
3034:12;3047:10;
3049:5;3073:21
goodness (2)
2999:1;3072:14
grabbed (1)
2899:13
Grade (9)
2907:12,12,20,25;
3032:9,13;3063:13,
13,23
graduated (1)
2976:18
grateful (1)
2884:19
great (5)
2994:9;2995:2;
3033:24;3046:9;
3049:3
greater (6)
2947:1,1;2982:14,
14;2999:21;3070:12
grew (1)
2976:17
grid (8)
2954:3;2962:25;
2963:1;2965:2;
3041:4,10;3053:8,21
grocery (1)
2939:6
gross (4)
2930:3,9,19;
2931:1
group (3)
2903:1;2978:8;
3017:4
grow (3)
2937:17;2941:7,7
growing (1)
2993:25
grown (2)
2977:18;2981:14
growth (3)
2942:3,3;3000:25
guess (16)
2887:25;2889:11;
2919:9;2927:18,22;
2931:17;2941:16;
2998:25;2999:1,2;
3011:21;3013:23;
3017:2,12;3030:1;
3032:22
guesstimate (1)
2999:19
guidelines (1)
2915:19
guy (1)
2993:4

H

half (7)
2943:1;2999:19;
3002:11;3057:11,11;
3058:2,2
HANCOCK (9)
2883:24,24;
2927:8,8,10,11;
2929:20;3007:19;
3045:6
H-A-N-C-O-C-K (1)
2883:24
hand (12)
2884:22;2893:1;
2894:6;2900:14;
2901:13;2908:18;
2911:17;2919:9,19;
2935:8;2975:8;
3050:4
handful (3)
2928:19,24,25
handled (1)
3047:25
handler (30)
2914:12,20;
2916:8,18;2917:8,
17,21;2918:2;
2930:22;2960:22;
2967:8;3005:24;
3006:1,7;3010:24;
3011:2,2;3021:8,21;
3031:15;3032:1,2,5,
7;3034:22,23,24;
3035:17;3038:3,9
Handlers (15)
2884:1,4;2936:3;
2938:6,8,20;2958:9;
2960:8,11;2962:11;
2963:4,15;2970:21;
3012:5;3053:7
Handler's (1)
2927:12
handwrote (1)
2976:9
handy (1)

2910:2
Hanford (1)
2977:16
happen (4)
2902:22;2913:9;
2965:13;2994:2
happened (2)
2996:24;3000:3
happens (1)
3045:18
happy (5)
2904:24;2909:22;
2910:12;2964:19;
2985:3
hard (4)
2890:9;2974:10;
3048:17,24
harder (1)
2973:22
Harkening (1)
3009:23
harking (4)
2908:16;2915:10;
2919:8;3015:16
Harris (2)
3000:12,13
hauling (1)
2982:11
head (6)
2906:18;2948:3;
2953:16,17;3001:11,
12
header (1)
3068:6
heading (7)
2893:21;2951:8;
2952:12;3053:24;
3068:6,7;3074:11
headquarters (1)
3034:1
hear (13)
2884:18;2886:22;
2897:23;2904:15;
2939:3,16;2956:8;
2986:19;3003:20;
3015:10,11;3016:4;
3034:12
heard (8)
2919:17;2938:16;
2939:23;2942:25;
3003:19;3043:12,13;
3044:7
hearing (34)
2884:20;2885:2,9,
10;2886:6,8,18;
2889:5;2909:6;
2916:17;2921:15;
2928:25;2936:18,21;
2965:9,14,23;
2966:9;2976:8,14;
2980:14;3003:13;
3007:25;3014:9;
3028:1;3033:15;
3036:4;3043:16;
3056:10;3057:3,15;
3059:2,8;3067:6
hearings (17)
2889:22;2913:24;
2936:20;2955:10,13;
2956:23;2957:10,15,
16,19;3009:24,25;
3052:6,12;3056:8;
3060:22;3067:5
hearing's (1)
2960:3
heart (1)
2976:10
heavily (1)
2947:13
heifer (5)
2997:8;2998:3,4;
2999:10;3000:7
held (8)
2889:6;2941:18;
2942:13,24;3057:3,
15,16;3067:5
Hello (1)
2973:10
help (12)
2905:7;2929:2,11;
2930:9;2935:17;
2977:24;2978:9;
2980:23;2985:9,23,
25;3033:19
helped (1)
3030:8
helpful (8)
2909:20;2910:1,9;
2911:22;2923:12;
2999:25;3034:2;
3047:12
helps (4)
2955:4;2961:2,10;
3005:5
Hence (1)
2979:3
herd (7)
2997:14,21,21;
2998:4,7,9;3001:1
here's (3)
2928:11,12;
3006:3
HEUVEL (1)
2996:10
H-E-U-V-E-L (1)
2993:10
high (17)
2926:19;2969:25;
2970:3,4;2985:18,
18;3000:11;
3007:16;3009:17;
3019:4,6;3027:13,
14,19;3028:1,5;
3070:12
high-class (1)
2964:7
higher (8)
2899:2;2901:16,
17;2902:11;
2918:11;2925:18;
2934:7;2960:16
higher-priced (1)
2948:19
higher-valued (1)
2925:22
highest (1)
2948:5
highly (1)
2999:6
HILL (3)
2882:10,10;
3048:5
H-I-L-L (1)
2882:10
Hilmar (8)
2883:17,20,23;
2945:19;2987:11;
2990:16,17;3009:13
hinder (1)
3002:16
hire (1)
2977:3
historical (2)
2936:5,24
history (2)
2978:12;3013:23
hold (9)
2904:22;2938:9,
11,21;2944:19,21;
2945:2,7,8
holders (4)
2945:5,7;3013:17;
3014:3
holding (2)
2934:2;3012:23
holds (1)
2941:14
HOLLON (66)
2882:18,18;
2886:11;2887:5,6,8,
10,10,14;2888:16,
17;2889:18;2891:6,
8,18;2892:17;
2893:5;2894:2;
2905:13,14,22;
2906:20,23;2910:17;
2911:25;2923:14;
2924:9;2927:7,11;
2935:15;2945:21;
2960:1;2969:12;
2973:5;2974:7,9;
3003:6,7,10;3004:5;
3011:25;3016:23;
3018:25;3019:3;
3020:9,24;3021:4,
16,18,22;3022:3,6,
10,11;3032:5;
3035:20;3036:3;
3037:18;3038:9;
3043:20;3045:1;
3047:2,5,7;3048:18;
3050:25
H-O-L-L-O-N (2)
2882:19;2887:10
Hollon's (2)
2959:9;3033:6
Holstein (11)
2976:20,24,25;
2980:16,17,25;
2981:1,5,16,25;
2993:21
home (1)
3049:5
honest (2)
2980:5,6
honestly (2)
2985:15,16
Honor (33)
2882:25;2887:17;
2888:15;2889:9,17;
2892:8;2893:5,11;
2904:2;2906:1;
2909:8,21,22;
2910:12;2911:4;
2919:7;2920:3,17,
22;2921:9;2958:24;
2959:14;2960:4;
2973:10;3002:23;
3015:2,8;3035:25;
3043:7;3044:24;
3050:16;3051:16;
3056:15
Honor's (2)
2982:18;3047:24
hope (4)
3011:24,25;
3022:25;3048:8
hoped (1)
3012:13
hopefully (4)
2920:7;2975:17;
3011:22;3023:1
hoping (1)
3043:11
horizontal (1)
2890:13
hot (1)
2885:22
hours (2)
3036:14;3049:4
housekeeping (2)
2887:16;2888:17
http//geologycom/state-map/nevadashtml (2)
2887:22;2888:8
hundred (9)
2898:13;2943:15,
15,16;2992:22;
3006:6,18;3007:4,7
hundredweight (4)
2982:4;2986:23;
3071:25;3073:6
hurdle (4)
3027:13,14;
3028:5,22
hypothetical (4)
3015:5,7,22;
3016:2

I

Ice (1)
2985:15
Idaho (2)
2955:17;3071:18
idea (2)
2917:24;3036:3
identical (3)
2893:3,9;3058:10
identifiable (1)
3027:9
identification (6)
2891:4;2893:17;
2910:11;3049:8,23;
3050:3
identified (6)
2884:6;2887:17;
2909:1;2911:5;
2919:25;2943:25
identifies (1)
2954:12
identify (5)
2884:12;2909:11,
19;2973:7;2980:15
identifying (1)
2925:23
II (12)
2906:6;2934:10;
2951:5,14;3035:15;
3057:5;3058:3,5;
3059:10,18,23;
3073:8
III (19)
2906:8,9,10;
2926:20;2929:9,19;
2951:5,14;3019:5;
3056:12,13;3058:10;
3059:18;3067:15,17,
23,24;3068:1;3073:8
III-A (17)
3068:4,10,12,13,
14,17,21,25;
3070:19,22,23;
3071:10,15;3072:1;
3073:2,5,5
Illinois (3)
2948:6;2976:18,
19
illustrate (2)
2905:8;2906:5
illustration (2)
2902:25;2903:2
image (1)
2950:2
imagine (3)
2923:3;2983:18,

3033:5
immediate (1)
2904:7
immediately (1)
2903:3
immensely (1)
2930:23
impact (8)
2918:16;2930:23;
2932:4;2967:7;
2979:2;3014:17;
3020:7,21
impacted (1)
3019:14
impacts (3)
2959:21;2968:2;
2992:14
implementation (1)
2936:5
implication (1)
2965:8
implicitly (1)
3063:8
import (1)
2977:4
importance (1)
2983:4
important (14)
2925:23;2953:4;
2961:4;2979:13,14,
14;2984:12;2993:1,
2,4;3015:6;3016:19;
3072:18;3073:23
impossible (1)
2971:11
Improve (2)
2935:18,19
impute (4)
2946:13,24;
2947:1;2951:21
imputed (10)
2901:3,13;2902:4;
2903:12;2947:6,12,
13;2948:1;2949:11,
20
imputing (1)
2949:14
inability (1)
3041:6
inaccurate (1)
2988:3
in-area (11)
3010:10,13,25;
3011:13,14;3029:6;
3030:15,16,16;
3031:1,8
Inc (1)
2882:24
incented (1)
3019:9
incentive (4)
2956:6;2960:15;
2962:2,5
incentives (1)
3019:7
include (14)
2908:13;2911:19;
2951:4,12;2952:5;
2953:13,15;2955:1;
2971:3;2985:6;
3057:10;3067:4;
3073:11,16
included (17)
2913:4;2944:4;
2948:6;2956:16;
2957:6;2960:13;
2961:20;2970:18,20,
22;2972:23;
3009:16;3024:2;
3063:9;3067:1;
3071:5,9
includes (2)
3017:13;3057:8
including (7)
2924:25;2925:4;
2936:11,13,22;
2984:5;3071:19
inclusive (10)
2917:23;2926:4,5;
2954:11;3015:1;
3016:11,21;3018:8,
16,21
income (1)
2925:19
incorporate (2)
2968:6;2982:6
incorporated (6)
2952:24;2978:11;
3051:25;3052:14,15,
15
incorporates (4)
2952:7;2953:2;
2961:9;3057:19
incorrect (2)
2987:19;3021:16
increase (6)
2963:19;2964:8;
2988:6;2989:17;
3002:10,17
increased (1)
2990:2
increasing (1)
2924:14
indented (1)
3055:7
independently (1)
2937:18
Indiana (2)
2957:16;3071:21
indicated (7)
2959:18;2985:4;
3034:16;3041:17;
3043:3;3048:5;
3055:8
indicator (1)
2995:6
individual (7)
2917:17,21;
2918:1;2970:5;
2980:22;3058:13;
3067:5
individuals (2)
2989:10;2990:15
indulgence (3)
3044:25;3050:17,
18
industry (18)
2971:11;2973:20;
2978:2,10,13,24;
2979:9,14;2980:9,
12;2983:15;2984:13,
15,16;2994:20;
2996:17;2997:6;
3052:7
ineffective (2)
2924:7;2925:25
ineligible (1)
3012:18
inequities (6)
2930:3,9,19;
2931:1,4,5
inexperience (1)
2975:17
influenced (1)
3072:24
influx (1)
2995:2
informal (1)
3073:6
information (19)
2890:2;2928:13;
2945:25;2946:7,8,9;
2949:16,21,25;
2958:18;2980:6;
2989:7,24;2990:1,4,
8,12;3032:24;
3033:13
informed (1)
2886:13
initial (5)
2884:14;2935:16;
2977:18;3005:14;
3048:10
initially (1)
3047:18
initiative (2)
2980:1,2
Inn (1)
2886:7
inquire (1)
3039:23
inquiries (1)
2938:23
inside (7)
2915:13;2970:10;
3011:8;3019:20;
3030:11;3031:6;
3041:7
instance (7)
2898:21;2937:21;
3032:12,16,22;
3036:25;3067:7
instances (3)
2941:5;2943:25;
2997:1
In-state (9)
2934:1,6;2944:9;
2971:8;3010:16,17;
3031:14;3037:13;
3042:4
instead (9)
2898:16;2899:11;
2901:15;2903:4,15,
17;2927:2;2971:9;
3055:2
Institute (5)
2883:3,6,9,11;
2986:9
Institute's (1)
2902:23
institution (1)
3010:14
institutions (1)
2996:22
instruction (1)
3056:17
integrated (2)
2937:4;3053:22
intend (4)
2908:16;2919:8,
21;3010:25
intended (7)
2924:25;2925:4;
3032:19;3036:18;
3037:24;3038:19;
3043:18
intending (4)
2909:6,11,11;
3007:1
intends (1)
3012:4
intensity (1)
2997:25
intent (7)
2917:10;3007:9,
11,13;3034:17;
3035:3;3038:17
intention (10)
2902:23;3008:13,
13;3010:12,21;
3011:16;3030:20;
3031:20;3037:3;
3040:11
interest (3)
2977:20;2983:13;
3021:2
interesting (4)
2977:22;2978:1;
2983:11;3023:4
Interestingly (1)
3000:11
interfered (1)
2918:6
internal (1)
3048:13
internationally (5)
2985:8,11,12,14;
2988:21
Internet (2)
2889:22;2950:3
interpreted (1)
3038:2
interrupt (1)
3056:21
interstate (1)
3042:7
intimately (2)
3013:11;3018:3
into (43)
2885:25;2888:10,
11,14;2892:11,13,
15;2896:17;
2897:12;2902:1,3;
2903:1;2904:18;
2907:17;2909:4;
2914:4;2915:12;
2920:20;2927:16;
2935:19;2966:20;
2968:6;2973:9;
2977:13,14;2978:12;
2979:8;2986:18,18;
2987:16;2993:24;
2994:12,21;2996:18;
3001:8;3002:18;
3012:12;3018:7;
3019:21;3022:18;
3042:8,8;3052:4
introduce (1)
3018:21
INTRODUCTION (1)
3051:23
inventive (1)
2971:15
invested (3)
2977:13;2983:17;
3002:5
investment (3)
2977:18;2997:7,
10
investments (1)
2980:5
invite (3)
2891:5;2910:18;
2975:3
involve (1)
3053:6
involved (11)
2908:9;2957:9,14;
2980:8;2984:7,13;
2989:10;2993:23;
3002:4;3013:11;
3042:12
involves (1)
3042:25
Iowa (2)

3071:22,23
issue (12)
2905:1;2922:21;
2923:9;2930:13;
2936:15,16;2955:16;
3003:18;3007:21;
3008:15;3009:24;
3047:3
issues (10)
2886:25;2893:2;
2916:17;2921:11;
2928:8,19;2930:4,
16;3043:4;3047:3
item (1)
2966:25
items (1)
2990:20
IV (16)
2899:11;2901:5;
2902:3;2905:12;
2906:11;2926:20;
2929:9,19;2951:5,
15;3019:5;3056:12,
13;3058:10;
3059:18;3073:9

J

James (1)
2883:16
J-A-M-E-S (1)
2883:16
January (10)
2891:15;2892:4;
2907:19,22;3024:20,
21,23;3026:4,4;
3057:15
Jason (1)
2882:5
Jersey (3)
2981:3,15;3072:2
jigsaw (1)
2959:22
job (3)
2978:9;2979:4;
3017:25
jobs (2)
2979:1,2
John (5)
2883:22;2945:19;
2982:24;2987:11;
3009:13
joke (2)
2973:18,19
Jones (1)
2929:3
Jones' (1)
2930:15
JUDGE (144)
2882:12;2884:5,
11;2885:1,6;
2886:16;2887:11,23;
2888:4,6,9;2890:9,
19;2891:2,9;2892:9;
2893:12,14;2904:3,
13;2905:4,16,23;
2906:2,14,19;
2909:1,15,24;
2910:24;2911:7,9,
16,22;2919:24;
2920:12,15,19;
2921:4,7;2923:3,12,
17;2924:2;2926:3;
2927:7;2931:3;
2950:18;2952:4,9;
2958:25;2959:2,13,
25;2961:4;2966:10,
13,15,19;2969:10,
12;2973:4,9,13,17,
21,24;2974:1,4,6;
2975:2,12,21,24;
2979:16;2982:19;
2986:4;2991:14;
2996:8;3002:20,24;
3003:5;3005:5;
3011:18;3015:3,10,
13;3016:4,15,22;
3018:25;3020:6,22;
3021:1,13,14,17,23;
3022:11;3025:1;
3029:2,4;3033:5,11;
3034:12;3035:19,21,
23;3038:6;3043:8;
3047:2,6,11;3048:2,
20,23;3049:3,17,21,
24;3050:4,8,12,15,
25;3053:14;3055:5,
13,18,24;3056:19;
3063:15,19;3067:20,
22;3070:21;3072:9,
12,16;3073:19,21;
3074:2,7,10
July (11)
2893:23,25;
2894:8,15;2896:20;
2898:19;2899:22,23;
2900:22;3025:18;
3026:5
jump (3)
2940:25;2980:10;
3012:6
June (2)
3026:4;3057:16
justification (16)
2934:12,24;
2935:4;2944:12,16,
22,25;2945:4,5,8,12;
2970:2,4;3027:16;
3028:4;3045:18
justifications (1)
2935:9
justified (2)
2993:1;3027:12
justifies (1)
2945:6
justify (1)
3028:7

K

KALDOR (2)
2883:10,10
K-A-L-D-O-R (1)
2883:11
Kansas (3)
2889:7;2976:22;
2995:9
keep (1)
3043:15
keeping (1)
2884:23
kept (1)
2977:11
key (2)
2968:4;3042:3
kids (1)
2980:23
kind (9)
2905:9;2938:21;
2942:2;2981:24;
2984:12;3015:4,7;
3023:10;3039:16
kinds (5)
2887:2;2985:6,7,
13;3015:24
knew (1)
3032:24
knowing (1)
3019:13
knowledge (8)
2939:5,15;
2972:16;2990:5;
2991:3;2993:14;
3008:20;3027:7
known (7)
2905:11;2906:3,6;
2907:8;2913:2;
2985:2;3057:11
knows (1)
3017:17

L

label (3)
2937:11;2984:23;
2990:10
lack (2)
2941:21;3031:5
Ladies (1)
2976:12
Lai (2)
2884:2,2
L-A-I (1)
2884:2
laid (5)
2921:11;2928:7,9;
2948:3;3046:12
Land (8)
2882:17,22;
2999:16,17;3051:25;
3052:3,8,15
lands (1)
3029:15
language (17)
2910:21;2911:13,
20;2913:4,5,14,17;
2923:6;2954:14,15;
3008:17;3011:15;
3013:12,15;3028:9;
3038:16;3042:24
large (12)
2918:16;2936:2,
17;2937:3;2941:4,
17,23;2942:10;
2993:3;2994:12;
3019:14,17
larger (2)
2941:25;2962:15
laser (1)
2919:18
last (33)
2885:25;2888:18;
2892:17;2898:10;
2899:20;2902:21;
2908:16;2909:8;
2911:9,11;2914:3;
2918:1;2920:5;
2922:23;2923:16;
2926:3;2931:20;
2945:24;2951:1;
2963:20;2973:14;
2975:20;2993:9;
3012:4;3014:14;
3015:12,16;3022:19;
3034:14,15;3073:13,
13;3074:4
late (1)
2927:19
later (10)
2904:25;2915:20,
25;2924:12;
2998:16;3033:4;
3035:8;3043:4;
3049:4;3050:19
Laurel (4)
2884:17;2913:25;
3033:16;3034:8
LaurelMay@AMSUSDAGOV (2)
3033:20;3034:8
Lauren (1)
2882:8
law (1)
2883:1
lawyers (1)
2904:20
lay (1)
3015:23
lead (1)
3014:6
leader (1)
2994:23
leading (2)
2977:14;3040:7
lease (1)
2977:16
least (13)
2906:7;2908:6;
2935:16;2959:5,5;
2964:16;2965:21;
2999:25;3004:6;
3008:2;3015:19;
3036:6;3042:22
leave (5)
2959:22;2966:5;
2971:4;2978:20;
2995:22
leaves (1)
2990:9
leaving (3)
2977:24;2995:3;
3004:22
left (3)
2890:14;2911:17;
2995:11
legal (1)
2903:1
legislated (1)
3068:25
legislation (1)
2901:11
legislative (1)
3046:17
lending (2)
2996:16,22
lengthier (1)
3049:25
Leprino (1)
2883:14
less (10)
2936:6;2943:1;
2947:25;2964:17;
2994:9;2999:5;
3006:4;3028:24;
3060:5;3063:3
letting (1)
3016:6
level (2)
2964:22,23
leveraging (1)
3010:11
Liberty (1)
2886:9
life (1)
3002:5
light (2)
2917:18;3016:13
lightly (1)
2929:4
likely (5)
2884:11;2889:8;
2971:20;2999:18;
3014:16
limit (7)
2969:13;3009:8;
3035:10,10;3044:14,

17;3058:1
limitation (9)
2908:7;2936:6;
2937:13;2941:6;
2943:23;2968:12,14,
19;3014:22
limitations (5)
2916:14;2917:11;
2967:13;2969:19,24
limited (13)
2934:18;2938:11;
2942:24;2945:8;
2995:14;3004:14;
3010:18;3016:10;
3037:9;3039:11;
3044:10;3058:1;
3068:21
limiting (2)
2969:2;3014:22
limits (13)
2905:20,21;
2915:25;2916:10;
2922:7,25;2923:11;
3030:9;3031:24;
3034:21;3035:1;
3040:1,14
line (20)
2894:14,17;
2896:3,16;2897:7;
2899:13;2901:3;
2904:22;2921:2;
2941:2;2959:11;
2978:16;3012:4;
3030:19;3045:12;
3055:1,8;3063:25;
3073:24;3074:4
lining (1)
2903:7
link (3)
2885:3,5;3003:3
linked (2)
3044:14,17
links (1)
2885:14
liquidate (5)
2997:3,6;2998:23;
2999:10;3000:8
liquidated (2)
2998:13;3001:7
list (5)
2886:3;2966:8;
2978:21;3025:25;
3058:13
listed (8)
2885:12,13;
2894:6,15;2899:24;
2915:16,20;3059:15
listen (1)
3014:11
listening (4)
3022:20,21;
3034:2;3049:4
literally (3)
2898:12;2901:23;
2909:7
little (18)
2890:9;2914:2;
2920:6;2921:9;
2923:14;2936:10;
2975:13,15;2981:8,
11,13;2991:25;
3004:3,21;3005:22;
3013:6;3020:14;
3022:22
live (1)
2885:2
lived (1)
2996:3
load (2)
2909:6;2991:5
Loading (1)
2994:1
loans (1)
2996:23
local (1)
2956:19
located (30)
2892:19;2905:16,
18,25;2917:9;
2947:22;2949:1,2,5;
2952:16,17;2954:13,
18,19;2970:8;
2971:2;2972:15;
2977:15;3012:17;
3028:16;3029:19,19;
3030:11,21;3031:4,
6,17;3032:6;
3036:24;3040:8
location (11)
2887:1;2915:13;
2947:25;2956:13;
2958:2,10,10;
2960:16;2962:2;
2963:6;2971:21
locations (1)
2957:5
logistically (1)
3034:4
logo (1)
2988:2
LOL (2)
2978:7;3052:6
LOL's (2)
3052:3,4
long (10)
2895:8;2937:16;
2954:8;2972:8;
3026:19;3036:3;
3044:3;3056:25;
3060:12,17
longer (9)
2922:9;2929:6;
2995:12,25;2996:22,
22;2999:7;3001:5;
3049:4
long-established (1)
2962:7
long-term (1)
2999:13
look (29)
2897:8;2899:14;
2902:10;2906:24,25;
2909:2,17;2914:6,7;
2922:9,17;2927:17;
2931:16,20;2947:10;
2949:21,23;2950:24;
2964:16;2965:3;
2966:7;2971:14;
2992:14;3002:8;
3022:21;3036:5;
3037:16;3039:22;
3048:24
looked (5)
2891:23;2917:1;
2938:14;3027:25;
3039:17
looking (17)
2886:4;2891:23;
2892:3;2894:23;
2902:15,16;2905:2;
2907:3;2909:14;
2911:4,21;2926:4,8;
2932:1;2990:17;
3012:3;3030:1
looser (1)
3015:18
Loss (2)
2964:7;2996:25
lot (16)
2929:21;2955:16;
2967:23;2974:9;
2978:17;2983:12;
2990:24;2995:5;
2999:15;3000:20,21;
3020:13;3021:2;
3030:8;3040:9;
3044:1
lots (3)
2955:13;2973:17;
3026:10
Louisville-Lexington-Evansville (1)
3071:22
low (2)
3028:2,7
lower (10)
2935:5;2943:18;
2960:17;2963:17;
3012:22;3028:14;
3044:10;3049:11;
3070:10,13
lowering (1)
2924:20
lower-priced (1)
2948:14
lowest (3)
2906:9,11;3072:2
lowfat (1)
2950:6
lunch (4)
2973:24;2974:2,8,
15

M

ma'am (1)
2975:11
magnitude (1)
3070:11
mailbox (1)
2982:11
main (1)
2977:6
Maine (1)
2990:23
mainly (1)
2977:5
maintain (4)
2995:13;2997:9,
13;3070:19
maintained (1)
2978:14
maintains (1)
3057:17
major (1)
2978:5
majority (4)
2976:15;2978:6;
3017:23;3018:14
makes (7)
2905:11;2934:12,
25;2938:15;
2941:13;2995:24;
3022:22
Making (7)
2967:16;2979:5;
2992:13;3019:25;
3063:13;3067:6;
3073:6
Mallorie's (2)
3008:3,7
M-A-L-L-O-R-I-E-'-s (1)
3008:3
manage (1)
3052:3
management (3)
2980:20;2994:24;
2997:24
mandated (3)
2957:12,18,21
mandatory (2)
2968:7;3014:21
Mankato (2)
2977:19;2982:20
M-A-N-K-A-T-O (1)
2982:21
manufactured (4)
2991:9;3060:24;
3063:3;3070:18
manufacturer (3)
2883:17;2991:4;
3063:4
manufacturing (11)
2916:23;3053:12,
16,18;3063:12,13;
3067:2;3068:4;
3070:1;3073:12,17
many (27)
2908:10;2962:13;
2978:17,22;2988:15,
18,18,18,19,19,19;
2989:20;2993:17;
2995:10;2996:20,21;
2997:18;3019:3,8,8,
8;3026:11,15,19;
3036:13;3041:17;
3047:11
map (1)
2887:18
margin (1)
3055:11
mark (6)
2891:2;2893:14;
2909:24;2919:24;
2920:1;3049:6
marked (16)
2890:5,24;2891:3;
2893:11,16;2910:10;
2914:5;2919:9,21;
2920:17,19;3049:8,
10,18,22;3050:2
Market (65)
2882:6;2913:16;
2924:23;2925:6,8,
24;2929:6;2930:17;
2937:1;2939:6,11,
20;2940:7,11,19;
2942:4,5,14;2943:3,
22;2944:17,24;
2945:13;2948:5,9,
11,11;2952:15;
2953:9;2956:19,23;
2960:8;2961:17;
2962:14;2967:20;
2968:20;2977:3,10,
21;2981:10;2988:6,
21,21,23,24;2990:2,
5;3000:6;3001:8,18;
3010:18;3011:13;
3014:23;3016:12;
3026:15;3027:18,19;
3028:10;3032:10,11,
12;3035:9;3060:12;
3070:4;3072:22
marketed (5)
2907:12;2970:17;
2971:3;2981:19;
2988:20
marketers (1)
2971:16
Marketing (68)
2884:19;2889:4,
11,11;2898:19;
2901:3;2919:12,13;
2920:23,24;2924:10,
19,24;2925:3;

2926:9;2928:9;
2932:13,19;2934:9;
2938:21,24;2944:1;
2947:10;2950:13;
2952:17;2954:18,20;
2957:3;2970:9,10,
11;2977:2;2988:10;
2990:20;3007:14;
3009:20;3011:3;
3014:17;3017:18;
3018:1,5,7;3019:2,
12;3020:1;3022:2;
3026:25;3027:9,11,
24;3028:4,17;
3029:20;3030:11;
3031:4,6,18;3032:7;
3036:22;3038:24;
3042:4,5;3045:16,
17,22;3052:4;
3067:5;3072:10
marketplace (5)
2929:8,22;2930:5;
2942:11;3053:22
markets (16)
2907:8,11;
2908:14;2917:25;
2929:7,9,19;
2963:12;2967:19;
2988:7,20;2990:25;
3001:9;3056:5;
3068:21,22
market's (2)
2925:21;3067:13
market-wide (5)
2918:7,10;
2925:17;2926:14;
2961:21
marking (3)
2910:6;3049:21,
25
married (1)
2973:23
Marvin (4)
2882:14;2904:16;
2959:3;3035:25
M-A-R-V-I-N (1)
2882:14
match (4)
2896:19;2901:6;
2908:6;3039:20
matches (1)
2911:19
material (3)
3034:7;3050:19;
3056:2
math (12)
2894:20;2895:5,7,
18;2896:7;2900:22;
2901:14,20;2902:7,
9;2904:24;2905:2
mathematically (1)
2900:16
matter (7)
2888:17;2910:8;
2913:5;2923:1;
2942:8;2983:16;
2993:2
matters (6)
2884:15;2886:23;
2887:1,3,17;2919:17
maturity (1)
2999:12
MAY (66)
2884:17,17,24;
2885:6,7;2887:7;
2889:19;2890:12;
2891:9;2893:14;
2906:19;2907:22;
2909:18;2917:13;
2920:1;2926:23;
2947:20,21;2957:15;
2958:10,24,25;
2959:13;2964:5,5;
2968:11;2975:5,14,
14,21,23;2979:3;
2986:10,21;2990:1,
18;3002:25;3003:2,
15;3004:19,20;
3005:25;3011:18;
3014:12;3015:2,3;
3016:3,22,23;
3028:7;3033:16,17;
3044:5;3045:6;
3047:3,9,13,15,22;
3048:1;3050:12,15;
3051:1;3055:10;
3072:17;3073:1
maybe (23)
2904:25;2920:5;
2929:2;2939:24;
2948:6;2993:15;
2994:15;2999:20;
3003:17;3004:20,20;
3012:13;3017:7,7;
3026:1;3035:10;
3036:7;3039:22;
3043:17,17;3046:15;
3050:19;3072:15
MCP (2)
3067:4,14
mean (18)
2907:11;2915:12;
2924:3;2931:3;
2943:19;2944:23;
2947:14;2949:1;
2954:14;2963:12;
2985:19,22;3002:4,
13;3013:20;
3022:20;3042:7;
3045:15
means (6)
2940:13;2944:17;
2998:10;3006:10;
3009:20;3032:2
measure (4)
2924:15;2990:6;
3017:24;3027:20
measured (2)
2926:25;2963:6
measures (1)
2924:17
mechanism (1)
2927:1
meet (8)
2925:1,5;2968:16;
3028:18;3031:11,16,
19;3042:16
meeting (3)
2925:8;2970:13;
3010:24
meets (4)
3007:15;3009:17;
3011:6;3057:20
member (2)
2884:3;2981:12
members (5)
2914:16;2927:25;
2928:8;2930:14;
2931:9
memories (2)
2966:1;2996:6
memory (3)
2918:2;2955:15,
15
men (1)
2971:13
mention (1)
3046:10
mentioned (6)
2959:5,5;2978:17;
2980:13;2983:2;
3019:16
merger (1)
2985:25
met (6)
2925:12;2970:1;
3027:15;3036:23,25;
3042:18
method (3)
2918:8;2925:16;
2926:13
methodology (1)
3040:5
Metropolitan (1)
2890:7
Mexico (2)
2976:22;3000:21
Mexico-West (1)
3071:24
mic (1)
2975:13
Michigan (4)
2918:2,3;3071:19,
20
microphone (3)
2886:25;2904:13;
2973:9
middle (5)
2892:18;2929:5;
2959:24;3020:3;
3051:25
Mideast (5)
2968:20,24;
2969:14;3009:25;
3010:2
Midwest (18)
2947:10;2948:11;
2955:15,17;2957:15;
2968:20,24;2969:7,
14,20;2977:4,12;
2978:21;2980:4,5;
2993:24;2995:14;
3071:22
might (14)
2909:20;2943:14;
2944:10;2949:21;
2959:23;2960:16,17;
2968:8;2971:9,23;
3001:18;3029:23;
3030:5;3051:13
Miguel (1)
2883:13
M-I-G-U-E-L (1)
2883:13
mileage (2)
2934:21;2956:15
mileages (1)
2956:13
milk (308)
2883:18;2884:8,
19;2886:20;2889:10,
11;2892:23;2894:18,
24;2895:3,9,11,23;
2897:11,13;2898:2,
3,8,11,12,13,14,18,
22;2901:3,24;
2902:1,3,8,23;
2903:17,24;2907:12,
13;2913:1;2914:7,
18,21,21;2915:2,4,
12,15,17;2916:7,14,
22;2918:12;
2919:11;2920:23;
2921:24;2923:22;
2924:7,11,13,18,20,
24;2925:1,3,5,7,11,
13,14,18,24,24,25;
2926:21;2927:2;
2929:6,7,18;
2930:24;2932:7,10,
12,18;2934:9,18,19;
2940:9;2942:19;
2943:15,17,24;
2944:1,3,5;2946:1,
13,20;2947:12,25;
2948:13,13,14,17,23,
24;2949:4,11,18;
2950:6,6,6,6,7,8;
2951:3;2952:15,16;
2953:11,13,14,20,23,
24,25;2954:4,7,19;
2955:17,23;2956:19,
25;2957:4,9;2958:2,
10,21,21,22;2960:8,
8,10;2961:2,11;
2963:17;2965:4;
2967:1,16,21,25;
2968:5,8,11,15;
2969:3;2970:2,16;
2971:2,8,21;
2972:11,14,18,23,23,
25;2977:9,16;
2979:12,13;2981:1,
13,19,22;2984:8,20;
2985:1,2,8,16;
2986:23,25;2987:3,
5;2990:3;2991:5,24,
25;2992:23;
2993:25;2994:13;
2997:8;3000:16,17;
3003:18;3004:2,5,7;
3005:19,24;3006:1,
7;3007:14,16;
3009:1,5,15,16,25;
3010:16,17,18,19;
3011:1,3,8,13,14,21;
3012:17;3013:16;
3017:18;3019:14,19,
21;3020:11,13,15,
17,19,22;3022:2,8;
3026:15;3027:10;
3028:16,25;3029:10,
15;3030:15,17,22;
3031:1,1,9,22,25;
3032:10,10,11,12,12,
13,24;3034:22;
3035:17;3036:22;
3038:20,24;3039:13;
3040:12;3041:6;
3042:1,7;3043:15;
3045:8,10,10,11;
3052:1,3,4,12;
3053:18;3055:3;
3056:9,11;3057:4,6,
9,9,14,17,18,19;
3058:21;3059:5,24;
3060:1,13,18,24,25;
3063:2,14,23;
3067:2;3068:3,9,9,
15,15;3070:10,11,
13,17;3072:7,10,19,
21,23;3073:8,16
milking (5)
2977:8;2992:24;
2997:14;2998:4;
3001:1
million (22)
2936:6;2938:2;
2941:2,22;2942:19;
2984:21;3006:7,11,
14,18,18,18;3007:4,
7,7,8;3008:5,8,10,13,
22;3009:6
MILTNER (17)
2884:7,7;3011:18,

20,21;3015:8,11,25;
3016:4,6,18;3017:1;
3021:3,6,7,20,24
M-I-L-T-N-E-R (1)
2884:7
mimic (1)
2901:24
mind (3)
2952:22;2956:2,3
mindful (1)
2905:24
mine (1)
2891:2
Minesse (1)
2977:19
minimize (2)
2964:11,15
minimum (3)
2941:13;2943:9;
3019:13
Minneapolis (1)
2977:19
Minnesota (16)
2956:23;2977:13,
18;2978:4;2979:12;
2981:9,14,22;
2982:1,15;2986:12;
2991:25;2992:10;
3009:25;3010:10;
3063:12
minus (1)
3024:16
minutes (1)
3072:13
misalignments (1)
3068:22
misheard (3)
3003:15;3004:20;
3005:13
miss (2)
3025:20,22
missed (7)
3032:3;3044:24,
25;3046:23;3048:1,
22;3053:17
missing (1)
3074:6
Missouri (1)
2889:7
misspoke (1)
3037:8
mitigate (1)
2918:10
mixed (1)
2981:17
mixture (1)
3057:9
model (1)
2964:17
moderate (1)
2964:3
moderately (1)
2964:1
modest (2)
2891:14;2893:1
modified (1)
3057:14
modifying (1)
3014:1
moment (7)
2897:16;2899:18;
2940:8;2966:10;
2972:6;3004:23;
3007:4
momentum (1)
2965:15
Monday (1)
2886:9
money (7)
2983:12,17,24;
2987:16;2995:8;
2997:9,9
monies (1)
2933:12
monitoring (1)
3033:17
month (16)
2894:7;2896:20;
2900:22;2906:9,11;
2926:21,21;2952:18;
2968:22;2992:17;
3004:8;3019:13;
3035:12,13;3063:20,
21
Monthly (5)
2949:16;2950:1;
3026:8;3067:8;
3071:13
months (5)
2907:14;2998:5,
10,11;3024:19
month's (1)
3053:11
month-to-month (1)
2968:12
more (38)
2886:2,4;2903:6;
2907:13;2908:13;
2917:23;2918:7;
2919:19;2936:18;
2941:22;2948:9;
2963:25;2964:1,13;
2967:16;2971:19;
2978:18;2981:11;
2985:16;2988:1;
2993:2;2999:18;
3006:10;3008:21;
3009:8;3010:4;
3011:22;3015:19;
3020:15,17;3022:22;
3033:4;3035:13,16;
3040:3;3042:22;
3057:10;3063:19
morning (27)
2882:1,5,8,10,14,
18,21,23,25;2883:5,
8,10,13,19,22;
2884:2,7,9,17;
2887:14,15;2893:3;
2894:4;2927:11,14;
2975:19;3003:2
most (14)
2894:7;2960:14;
2965:5;2976:13;
2984:18;2986:9;
2987:15,20,21,25;
2993:4;2999:12;
3000:14;3021:24
mostly (1)
2985:15
motion (1)
2965:15
mouth (1)
3021:12
move (10)
2892:8;2904:2;
2906:15;2909:12,19;
2910:14;2993:15;
2995:17;3002:7;
3014:13
moved (1)
2994:2
movement (8)
2924:13;2993:17,
24;2995:6;3020:13,
15,17;3029:9
movements (1)
3042:7
moving (5)
2886:6;2989:13;
2993:20;2994:5;
2995:1
much (15)
2941:25;2946:20;
2971:19;2982:3;
2983:4;2986:2;
2989:17;2990:10,14;
2993:12;3020:15,18;
3023:2;3051:16;
3055:9
multiple (4)
2918:21;2985:19;
2988:12;3067:4
multiplications (1)
3023:25
multiplied (3)
3006:16,24;
3023:18
multiplying (1)
3067:8
must (4)
2951:3,12;
2952:17;3033:12
M-W (6)
3063:10,11,14,17,
20,22
Mykrantz (1)
3059:7
myself (2)
2916:25;2992:3

N

nailed (1)
3032:16
name (18)
2882:21,25;
2883:19;2887:9;
2959:2;2973:8,10,
14,15;2975:13,19,
20;2985:18;2986:8;
2993:10;3015:13;
3050:13;3051:24
narrowed (1)
3070:14
NASS (2)
3060:1;3072:25
national (41)
2954:2;2964:22;
2965:2,9,14;
2976:20,24,25;
2980:15,17,17,25;
2981:3;2993:21;
3007:24;3008:17;
3041:3,5,10;3053:5,
8,10,22;3056:8;
3059:11,25;3060:4,
4,11,12,17,22,25;
3067:1,9,19,25;
3068:1,16;3072:19,
23
nationally (3)
2985:3,9,13
nation's (1)
3072:25
nature (1)
2905:5
Nebraska (1)
2976:22
Nebraska-Western (1)
3071:23
necessarily (8)
2889:13;2907:22;
2928:10;2940:19;
3012:22;3028:2,3;
3029:25
necessary (8)
2919:18;2952:12,
14;2955:1;2965:3,7;
3051:6;3056:15
need (40)
2890:12;2902:24;
2905:7;2908:17;
2916:4;2917:12,13;
2925:2;2936:20;
2948:24;2952:25;
2957:19;2959:14;
2962:6;2978:23;
2984:13;2992:4,5;
2994:9;2995:20;
2997:8,21;2998:4,7;
3001:17;3003:17;
3007:16;3010:21;
3027:10,16;3030:3;
3033:22;3034:6;
3039:16;3041:20,22;
3042:17,20;3050:4;
3051:12
needed (7)
2917:25;2946:3;
2961:3,11;2998:22;
3000:8;3042:22
needs (14)
2903:24;2922:17;
2924:19,22;2925:6,
8,21,24;2981:17;
2992:25;2994:9;
2997:13;3027:8,13
negative (5)
2900:17,17;
3014:17;3024:11,18
neglected (2)
3046:9,9
neighborhood (1)
2990:24
net (4)
2981:25;2982:3,
10;2986:23
Nevada (15)
2887:18;2892:24;
2894:10;2901:6,7,8,
11;2905:17,18,25;
2972:15;3020:16;
3026:14,17;3040:8
Nevertheless (1)
3073:2
new (19)
2885:4;2923:11;
2928:9;2937:5,8;
2939:25;2965:3;
2968:8;2970:13;
2972:1;2976:22;
2978:23;3003:3;
3033:15;3035:16;
3068:14;3071:24;
3072:1,2
Newell (1)
3026:21
news (2)
2927:18;3072:22
next (22)
2886:5;2888:17;
2890:5,20;2893:11;
2894:14;2895:8;
2897:7,10;2901:3,
23;2927:7;2986:4;
2991:14;3002:14,20;
3021:1;3022:11;
3032:9;3047:14;
3049:8;3074:10
Nicole (3)
2883:24;2927:8,
11
Nielson (1)
2990:20

NIERMAN (4)
2882:5,5;3058:11, 13
N-I-E-R-M-A-N (1)
2882:5
night (1)
3020:3
nine (1)
3049:16
nodding (1)
2906:18
None (6)
2886:24;2888:11; 2892:12;3020:12,12; 3047:3
non-environmental (1)
2920:11
nonetheless (3)
2939:2;2963:7; 3015:19
nonfat (12)
2895:22;2950:7; 3057:18;3068:9,15; 3070:10,11,13,17; 3072:19,21,23
non-Grade (1)
2907:15
non-marketing (1)
3045:22
non-negotiable (3)
3017:9,13,14
nonpool (7)
2915:16,18,20,24; 3029:18,18;3038:14
non-quota (10)
2900:7,11,21; 2902:5,18;2903:3, 14,16;2913:11; 2932:13
nor (2)
3073:11,15
normally (1)
2888:2
North (4)
2963:17;2977:19; 3020:13,15
Northeast (3)
3052:4;3071:11; 3073:4
Northern (16)
2894:9,11; 2898:25;2899:3; 2946:1,21;2947:4; 2948:20;2949:5,15, 17;2950:5,8,12; 2962:25;3039:11
Northwest (3)
2908:23;3020:10; 3071:17
notable (1)
3058:5
note (10)
2920:4;2959:1,4; 3025:5;3056:23,25; 3070:6,9;3072:18; 3073:23
noted (6)
2940:10,21; 2979:2;3068:14,20; 3071:1
notes (2)
2976:7;3026:10
notice (3)
2909:5;2913:21; 2919:22
noticed (1)
3048:14
notify (1)
2885:4
Noting (1)
3070:17
November (1)
3068:10
now-terminated (1)
2917:7
Number (59)
2882:16;2883:4; 2886:1,17,18; 2889:9,20,23,23,23; 2890:6,7,14,19; 2892:18;2893:11,12; 2896:19;2898:23; 2900:18;2919:17; 2921:12;2922:6; 2923:11;2938:19; 2951:18;2952:23; 2967:10;2978:14; 2981:9;2982:25; 2985:22;2987:22; 2988:25,25;2995:13; 2996:21;2998:20; 2999:3,5,6,11; 3002:16;3005:7; 3014:1;3024:11,16; 3025:14,15;3026:3; 3027:4,23;3028:1,2, 5,6;3053:23; 3063:21;3068:21
numbered (2)
2893:21;2966:25
numbers (15)
2895:13,14; 2896:22;2897:21; 2898:6,9;2901:2; 2903:8;2938:14; 2952:6,6,8;2970:22; 3025:8;3026:5
numeral (4)
2952:6,7;3053:24; 3056:13
Numerals (2)
3056:16,24
numerical (1)
3056:23

O

o0o- (2)
2974:16;3074:18
object (1)
3015:4
objection (5)
2888:10;2892:10, 11;2909:13;3016:5
objections (2)
2904:4;2964:18
objective (6)
2925:23;2952:1; 2953:4,8;2967:4; 2988:5
objectives (2)
2966:8,25
obligation (2)
2998:15,15
obliterate (1)
2890:21
obliterated (1)
2890:11
obliterating (2)
2890:10,23
observe (1)
2990:1
observed (2)
3027:23;3028:4
obtain (1)
2903:25
obtained (3)
2937:13;2944:22; 3063:11
obtaining (1)
2924:11
obviously (9)
2890:6;2896:14; 2902:22;2914:18; 3008:16;3013:11; 3015:5;3017:23; 3020:12
Occasionally (1)
3051:7
occasions (2)
2959:6;3052:13
occur (1)
3032:22
ocean (1)
3020:10
October (6)
2886:9;2891:17; 2930:1;2975:1; 3068:11,13
odd (1)
2890:21
off (13)
2889:22;2904:22; 2920:12;2923:1; 2929:24;2948:3; 2953:15,17;2989:15; 3012:6;3026:7; 3074:13,16
offer (7)
2904:8,8,9,22,25; 2905:2;3016:10
offered (1)
2904:18
Office (4)
2882:9,11;2883:2; 3033:14
official (6)
2885:8;2909:5; 2919:22;3048:7,8,10
offset (1)
2934:9
often (1)
2994:2
Ohio (3)
3010:9;3071:20, 21
O'Lakes (6)
2882:17,22; 3051:25;3052:3,8,15
old (11)
2964:13,17; 2997:7;2998:2,3,8, 10;2999:14,19,20,22
old-style (1)
2976:9
Olsen (2)
3026:22,22
once (12)
2914:25;2915:12, 18,23;2945:14; 2984:12;2988:9; 2989:19;2990:13; 2995:11;3008:4; 3048:8
one (105)
2882:19;2884:13, 22;2885:14,14; 2886:3;2892:11; 2893:6;2897:10; 2898:10,24;2903:6; 2905:1;2906:7,16; 2910:21;2913:24; 2916:16;2920:3; 2923:14;2926:22; 2930:21;2931:2; 2936:16,18;2942:6; 2944:15,16;2947:9, 20,21;2948:9,10; 2950:7;2958:1,2,4,5, 5,7,10,13,15,17; 2960:15;2962:2,19; 2964:20,20;2965:6; 2966:9,24;2967:24; 2968:22;2971:19; 2972:19;2973:23; 2979:4;2980:10,11; 2981:14,15,16; 2984:11;2986:10; 2992:11,12;2993:20; 2994:11;2999:10,18; 3000:3;3002:3,17; 3004:19;3006:20,20; 3009:13,14,24; 3011:11;3015:21; 3019:4,8;3024:1; 3029:7;3032:18; 3035:12;3036:21; 3040:9,10,20; 3041:1,5,14,16; 3042:15;3044:12,25, 25;3046:15,16; 3050:17,17;3063:19
ones (9)
2893:4;2930:21; 2933:21;2942:2; 2961:17;2985:20; 2990:6;3000:19; 3050:19
one-third (4)
2983:7;2986:25; 2987:1,4
only (34)
2897:19;2903:2, 15;2906:8;2921:14; 2925:16,20;2926:13, 17,19;2931:2; 2939:6;2963:8; 2965:6;2986:10; 2989:19;2990:9; 2992:9;3008:9; 3010:18;3014:18,21; 3016:8;3018:22; 3027:21;3029:19; 3031:3;3034:17; 3035:3;3037:12; 3040:23;3048:19; 3055:7;3068:15
onto (1)
2921:17
open (3)
2979:16;3050:21, 23
operate (3)
2928:10;3017:21; 3042:23
operated (1)
2937:18
operates (4)
2967:19;3017:17; 3018:10;3034:23
operating (1)
2972:6
operation (8)
2906:4,13; 2916:22;2934:10; 2972:8;2977:9; 2981:15;3042:19
operations (3)
2981:23;3011:3; 3018:6
operation's (1)
2981:14
operator (4)

2914:19;2930:22; 3007:5;3038:13
operators (3) 2915:8;2916:21; 3008:4
opinion (8) 2980:5;2984:13; 2992:1,5,23; 3002:18;3014:12; 3020:20
opinions (2) 3015:21;3016:2
opponent (1) 2882:13
opportunistic (3) 2955:9;2957:2; 2968:21
opportunities (5) 2926:20;2956:17; 2967:24;2971:8,15
opportunity (11) 2904:19;2955:20, 23;2956:6,10; 2970:12;2976:13; 2990:16;2999:3; 3002:23;3015:17
opportunity/limitation (1) 2907:18
opposed (7) 2898:25;2944:5; 2964:22;3005:19; 3028:25;3045:20; 3055:4
opted (1) 3070:18
opting (1) 3019:14
option (4) 2961:14;3013:19; 3016:14;3018:9
Order (219) 2882:6;2884:19; 2886:2;2888:19,20, 20,24;2889:6,15; 2890:4;2891:17,24; 2892:5,6;2893:23; 2894:15,17;2895:11, 12;2896:18;2897:13, 14,14,16,17,21,25; 2898:1,17,19,22,24; 2902:3,12,16,24; 2905:12;2907:18; 2908:4,20,21,22,23; 2910:20;2911:24; 2913:1,10;2915:24; 2916:16;2917:1,7; 2918:3;2919:13,14; 2920:25;2924:16,25; 2925:4,10,11; 2926:6,9,10,15,17, 17,19,22,24; 2927:15,20;2928:9; 2929:6;2930:2; 2931:9,13;2932:7, 10,13,19;2934:16; 2940:13,25;2943:24; 2944:1,3;2946:18; 2947:10;2948:1,22; 2949:7;2950:14; 2951:1,1,2;2952:13; 2953:11,25;2954:1, 25;2955:3,10,11,13, 23;2956:4,7,14,15; 2957:9,16,16; 2960:14;2962:25; 2964:23,23,24; 2965:5,5,9,20,22,23; 2967:1,20;2968:9, 15,16,24,24,25; 2970:13;2971:21; 2978:7;3007:16; 3010:7;3017:21; 3018:13,15,17,22, 23;3019:5,6; 3020:10,25;3022:2; 3023:19;3024:1; 3025:11;3027:7,20; 3028:9;3031:10,14, 19;3032:25; 3036:22;3037:1,6; 3039:15,16,20; 3040:2,22,23; 3041:6,11;3042:1,5, 6,12,12;3051:9; 3053:2,3,7,22,25; 3056:4,6,8;3057:5,8, 15,24;3058:1,5,15, 18,19;3059:6,10,15; 3060:7,8,11,21; 3063:10;3067:1,3,5, 7,10;3071:1,16,16, 16;3072:2,2,7,10; 3073:7,9,10,11,14, 15,16
orderly (2) 2952:15;2953:8
orders (49) 2889:2;2901:3; 2908:9,15;2911:24; 2924:25;2925:4; 2926:16;2931:14; 2937:7;2943:25; 2963:14;3008:18; 3017:18,23;3018:1, 6,9;3019:25;3020:1; 3025:9,13;3029:8; 3046:1;3056:7; 3058:7,10,21; 3059:25;3060:6,20, 23;3067:3,13,16,18, 25;3068:1,11,18,18, 19;3071:5,8,9,12,14, 18;3073:4
Order's (3) 2916:17;2925:9; 3067:15
ordinarily (2) 2946:8,9
Oregon (2) 3020:14;3071:18
organization (5) 2980:13,18; 2989:25;3010:3; 3011:12
organization's (1) 3010:14
organize (1) 2921:9
origin (2) 2990:12,25
original (2) 2890:2;3068:18
originating (3) 2970:16;2972:12, 14
others (13) 2910:14;2920:7; 2926:23;2953:16; 2963:25;2964:8; 2971:17;3014:5; 3016:3;3041:3,16, 17;3051:1
otherwise (2) 2916:23;2967:8
ought (1) 3043:17
ourselves (2) 2920:9;3002:12
out (79) 2885:4;2891:24; 2893:4;2894:24; 2897:4,9;2898:4; 2907:20,25;2908:15, 18;2913:10,12,24; 2915:24;2918:5; 2919:9,19;2920:18; 2921:11;2928:7,9; 2932:11,14,25; 2933:8,12;2936:13, 17,22;2938:17; 2942:12;2944:5,10, 10;2948:3;2952:25; 2953:16;2955:25; 2956:9,10;2957:4; 2962:2;2971:5,19; 2977:1,3;2980:3,11, 18;2981:6;2987:5; 2993:22;2995:11,12, 14;2996:17; 3002:13;3007:6; 3009:20;3010:11,18; 3011:1;3019:15,21; 3021:11;3026:1; 3027:8;3041:8; 3042:5,7,8,12; 3046:12,17;3047:9; 3048:15;3055:11; 3072:15
outlets (1) 2918:12
outline (1) 3019:8
outlined (4) 2926:17;2965:12; 3020:2;3039:11
out-of-area (7) 3011:13,14; 3029:17;3030:15; 3031:1,22;3042:16
out-of-marketing (2) 3045:16,20
out-of-state (44) 2902:23;2903:17, 24;2932:2,4,17,21; 2933:2,5,17,20,22, 23;2934:11,13,20; 2970:24;2971:3,3,8, 21;2988:20;2991:5; 2996:1;3000:20; 3001:23;3010:17,23; 3011:2;3012:15,17, 18,21;3013:16; 3014:3;3021:19; 3030:17;3031:8; 3042:4;3045:8,9,10, 15,20
outside (41) 2905:21;2915:13; 2934:23;2935:3,10; 2943:24;2944:1,1,3; 2953:14;2968:7,11, 15;2970:9,11,17; 2972:15,18;3007:14; 3009:1,6,15,16,19; 3011:3,8;3019:20; 3021:9,9,10; 3026:25;3027:10,21; 3028:17;3029:20; 3030:11;3031:4; 3032:6;3036:20,21; 3041:7
outweigh (1) 2971:23
over (24) 2885:23;2891:14; 2897:7;2900:2; 2907:1;2908:7,19; 2921:17;2922:3,5; 2923:19,25;2924:6; 2925:2;2934:15; 2938:2;2942:19; 2946:16;2962:13,17; 2981:13;2983:10; 3025:17;3039:22
overages (1) 3059:5
Overbase (7) 2894:17;2896:19; 2897:15,21;2898:3, 13;2987:7
oversees (1) 2984:21
overwhelming (1) 2976:15
owe (2) 2983:24;3036:12
own (15) 2902:24;2903:18; 2917:24;2918:9; 2920:10;2935:7,7, 14;2943:21; 2965:15;2977:1; 2980:1,2;2989:12; 3012:18
owners (1) 2997:2
Ozarks (1) 2961:22

P

Pacific (3) 2908:22;3020:10; 3071:17
package (1) 2988:15
packaged (2) 2948:13;2958:20
packages (1) 3056:12
page (91) 2891:14;2892:3; 2893:24,25;2895:8; 2898:16,16;2899:2, 20;2900:14;2901:1, 1,15,24;2902:6,10; 2906:24;2907:1,10; 2908:19,21;2909:10; 2910:19,19,20; 2911:5,13;2913:9; 2914:6;2917:15,24; 2918:9,22;2919:15; 2921:2,14,17; 2922:6,15;2923:6, 25;2924:2;2929:4,5, 24;2931:20;2935:22, 24;2936:1,9; 2950:16,23,24; 2951:7,8;2952:11, 20;2966:8,23; 3005:7,8;3014:13; 3024:22,25;3025:5; 3026:1,12;3029:2,3; 3031:23;3032:3,4,9; 3035:19;3037:16,20, 21;3043:14;3049:11, 15;3055:6,7,15,19; 3056:2;3070:8; 3071:4;3072:12; 3074:3,11,12
pages (7) 2891:23;2893:10, 20;2911:21;3049:12, 16;3059:17
paid (9)

2932:18;2943:15, 17;2981:22; 2999:14;3013:16,17; 3014:3,4
pain (1)
2996:15
Painfully (2)
2996:14,15
Pam (1)
2884:22
Pamela (2)
2882:3;2889:17
paper (7)
2893:6,19; 2908:20;2920:4,9, 10;2950:2
papers (1)
3022:21
paragraph (62)
2907:4,7;2908:21; 2910:18,19;2911:8, 9,15,20,20;2914:7, 18;2915:2;2916:1,2, 3,6,10;2917:12; 2921:13,16,18,21, 23;2922:3;2923:19, 21,24;2924:1; 2929:23;2930:18,18; 2950:24;2951:8; 2952:12;2966:23; 3005:18;3007:3; 3012:3;3014:15; 3025:5;3026:24; 3029:1,6,17; 3030:22;3031:7,23; 3034:18,20,25; 3038:2,5;3043:15, 22;3055:7,8,20; 3072:15;3073:22,24; 3074:4
paragraphs (7)
2922:10,16; 2924:5,6;3005:10; 3007:11;3038:16
parameter (2)
2908:3,3
parameters (2)
2908:1;3051:20
paren (3)
3050:21,22,22
parens (1)
3050:23
parenthetically (1)
3052:8
Park (1)
3052:2
parse (1)
2959:16
part (47)
2882:13;2889:12; 2895:15;2898:23; 2917:1;2922:23; 2923:8;2927:22,24; 2928:3;2931:17; 2941:2;2943:24; 2944:5;2948:17; 2952:1,22;2953:4; 2954:4;2960:14; 2964:25;2970:2; 2977:2;2978:12,13, 24,25;2983:15; 2985:4;2998:9; 2999:12;3011:10; 3015:22;3017:25; 3027:12;3028:17; 3036:21;3037:21; 3038:3,14,14; 3046:20;3048:15,22; 3053:22;3058:25; 3074:10
participants (3)
2884:6;2967:20; 3018:18
participate (7)
2884:20;2917:22; 2932:22;2934:3,13; 2935:4;3012:16
participated (1)
3007:24
participating (1)
2889:3
particular (10)
2911:10;2921:11; 2923:9;2927:15; 2989:11,18,18; 2992:11,12;3028:10
particularly (3)
2909:22;2997:3; 3034:6
particulars (2)
2930:11;2967:6
partner (1)
2981:9
partnership (2)
2977:7,13
parts (1)
3037:21
party (2)
2927:2;3047:19
pass (1)
2908:15
passed (3)
2893:4;2907:14; 2920:18
passion (1)
2980:11
past (3)
2916:12;2926:25; 3002:1
pattern (2)
2947:3;2962:18
patterns (1)
2964:6
Paul (1)
2961:22
pay (7)
2963:24,25; 2983:12;3063:2,6, 11,21
paying (1)
2918:17
payment (5)
2927:4;2934:7,8; 2935:5;3045:10
payments (1)
3063:13
PDF (5)
3033:16,23; 3047:16,19;3048:24
peers (1)
2984:10
penalty (2)
2975:9;3050:9
Peninsula (2)
2918:4;3071:20
pennies (1)
2987:8
Pennsylvania (4)
3052:2,5,9; 3071:21
penny (1)
2897:3
people (31)
2885:4;2888:1,3; 2897:2;2904:23; 2908:17;2910:25; 2920:5;2921:15,22; 2935:17;2938:16; 2974:10;2977:2,23; 2978:17;2980:18; 2983:24;2984:14,18; 2994:10,18;2995:12, 13;2999:7,19; 3005:6;3026:20; 3033:25;3046:13; 3051:14
per (6)
2986:23;3002:11; 3070:16,16;3071:25; 3073:6
perceived (3)
2931:1,5;2994:13
percent (73)
2894:18,19; 2895:4,4,16,17,19, 21;2896:2,8,14,14, 18;2898:7,7,7,13; 2899:3;2901:5,5,17, 17;2902:7,15,17,18; 2903:21;2943:1; 2950:6,7;2969:6,20, 21;2978:19; 2995:22;2997:23; 2998:7;2999:21,22; 3000:11;3001:20; 3002:10,11;3004:15; 3005:23,25;3006:4, 10,16,17,24,25; 3010:15;3025:8,12, 12;3027:1,3;3028:3; 3031:24;3035:10,13, 14,16;3040:17; 3057:10,18,19; 3060:3,4;3063:22; 3070:17;3072:25
percentage (13)
2926:19;2938:15; 2969:19,20;2997:19, 20,21;2998:21,24; 3010:6;3026:25; 3028:12;3067:13
percentages (2)
2903:11;2938:17
perform (1)
2944:4
performance (19)
2917:23;2921:13; 2924:14;2925:12; 2926:6,24;2944:8; 2967:14,15;2968:17, 18;2989:10,13; 3010:2,13,17,23; 3011:14;3018:12
performance-based (2)
2925:15;2926:12
perhaps (6)
2957:6,7;3013:19; 3014:11;3028:1; 3035:12
period (7)
2928:2;2981:21; 2982:5;2983:10; 2984:17;3025:17; 3070:17
periodic (1)
2989:2
periodically (1)
2989:7
perjury (2)
2975:9;3050:9
permanently (1)
3000:25
permit (1)
2907:12
permitted (1)
2916:13
person (3)
2909:12;3051:6,7
personal (4)
2984:13;2989:9, 12;3046:9
personally (1)
2993:23
perspective (4)
2978:3,4;2989:9, 12
peruse (1)
2910:18
Pete (2)
3026:21,22
phase (1)
2887:6
phone (1)
3040:4
phrase (2)
2963:20;3053:14
physical (2)
2995:6;3004:21
physically (3)
2978:18;3004:2,7
Piccadilly (1)
2886:7
pick (1)
2923:15
picked (1)
3046:16
picking (1)
3056:1
picture (2)
2962:3;3033:12
piece (2)
2893:6;2895:8
pieces (1)
2959:23
pin (1)
3013:20
place (14)
2889:5;2890:10; 2944:14;2961:22; 2963:8;2964:21; 2983:22;3001:9; 3010:8,9;3028:9; 3033:22;3046:19; 3053:7
places (4)
2897:4,4,5; 2995:10
placing (1)
2890:12
Plains (1)
3071:23
plan (5)
2974:10;2978:7; 3048:7;3056:4; 3073:21
plans (4)
2918:21;2964:6; 3018:20;3036:17
plant (134)
2892:19,23,24; 2894:18,20,22,23; 2895:3,5,9,18,20,21, 22;2897:11;2898:2; 2901:4,14,21,25; 2902:2;2903:22,25; 2905:9,9,10,13; 2913:10,11,12; 2914:19,21,23; 2915:1,3,14,16,18, 20,21,21;2916:23; 2917:9;2921:16,21; 2925:10,13;2944:4, 5;2949:1,2,6,11; 2954:12,13,16,17, 17;2957:20;2958:3,

11;2960:9,15;
2961:2;2969:24;
2970:5,8,12;2971:3;
2972:1,1,3,11,14,22;
3004:2,8,23,25;
3005:2,16;3006:14,
19;3007:6,8;
3021:25;3026:13,16,
17;3027:20;3028:16,
17,18;3029:7,8,11,
12,14,18,18,19;
3030:10,10,16,22;
3031:2,3,5,7,11,14,
17;3032:6;3034:23;
3035:8,11;3036:20,
24;3037:1,5,6,7;
3038:13,14;3040:8,
8,16;3042:16;
3043:22;3044:6,18,
21;3052:5;3053:11
plants (61)
2905:11,25;
2914:13;2915:24;
2916:9;2918:15;
2921:13,18;2922:4;
2923:20;2924:9,13,
14,16;2926:7;
2927:2;2947:18,22;
2948:14,19;2949:5;
2952:16;2954:22,23,
23,24;2955:3,3;
2960:17;2961:11;
2962:14;2964:7,8;
2979:7;3003:20;
3004:16;3006:5;
3010:7,8,15,19;
3026:24;3030:20;
3031:3,4,8;3034:17;
3035:1,4;3037:13;
3038:4,10;3042:10,
11,25;3045:14;
3053:12,16,18;
3063:12;3070:1
plants' (1)
3063:21
play (1)
3002:18
playing (1)
2978:10
please (19)
2885:1,6;2904:13;
2920:13;2921:4;
2955:22;2961:5;
2966:20;2974:13;
2975:3,8,12;
2976:11;3050:4,12;
3051:21;3052:19;
3072:9,17
plus (3)
3024:15,15,16
podium (3)
2885:1;2982:20;
3047:13
point (23)
2900:1;2907:22,
23;2916:2;2936:13,
22;2940:11;
2941:17;2942:18;
2943:4;2947:6,12;
2949:11;2959:1,4;
2977:11;2979:5;
3018:20,22;3038:7;
3044:25;3067:25;
3072:16
pointed (2)
2936:17;2971:19
policy (14)
2917:14,16,18,18,
20,22;2926:5,8;
2928:14;2936:15,23;
2960:25;2961:9;
3045:19
poll (1)
2929:25
Ponderosa (5)
2884:1;2927:12;
2932:1,4;2933:11
pool (99)
2907:20;2908:1;
2914:13,19,21,22,
25;2915:1,3,14,22;
2916:9,14;2917:22;
2918:2,8,23;2919:1,
5;2925:10,17;
2926:20,22,22;
2930:3,24;2933:12;
2937:14,18;2938:10;
2941:8;2943:1;
2944:4;2953:13,20,
23,24;2954:4,7,13,
17,23;2955:3;
2967:17,21;2968:3,
5,12,16;2969:3,23;
2970:2,18,22,22;
2971:4,5,7,10,10;
3004:2,8,23,25;
3005:16;3007:6,17;
3009:16;3010:1,11;
3013:16;3014:3;
3019:7,10;3026:8;
3027:12,22;3029:7,
8,10;3030:17;
3031:7,8,11;
3034:23;3036:22;
3037:1,5;3038:4,10,
13,20;3040:8,12;
3041:18,19,25;
3042:1;3043:22
pooled (12)
2898:11;2952:18;
2955:17;2967:1,25;
2970:13;2971:22;
2972:23;2973:1;
3007:15;3032:25;
3059:24
pooling (53)
2889:5;2917:23;
2918:7,10,25;
2921:12,18;2922:7,
25;2923:11,22;
2924:7,17,20,24;
2925:3,9,15,23,25;
2926:4,5,12,14;
2937:24;2951:3,12;
2952:12;2954:11;
2955:9;2957:3;
2959:17,21;2967:11;
2968:7,21;3009:17,
23;3010:24;3011:2;
3014:18,21;3015:1;
3016:11,21;3017:13;
3018:9,12,16,21;
3020:19;3041:22;
3046:1
pools (4)
2917:17,21;
2918:23;2919:5
population (5)
2946:14;2947:1,
10;2948:15;2949:7
population-based (1)
2947:14
populations (1)
2946:22
position (18)
2890:13,14;
2922:20;2940:5,8;
2941:17;2942:16,18;
2943:4;2964:21;
2965:12;2975:7,14;
2993:14;2998:22;
3000:4;3001:7;
3047:8
positioned (1)
2993:22
positive (2)
2900:18;3063:6
possibilities (2)
2905:24;3030:1
possibility (2)
3015:6;3030:5
possible (6)
2971:24;3016:20;
3036:14,18;3048:23;
3050:22
Possibly (1)
3014:10
post (2)
3048:3,6
posted (3)
2885:24;3047:20;
3048:12
post-Federal (1)
2955:11
posting (1)
3047:21
post-Reform (4)
2956:10,15,18;
2961:13
potential (2)
2942:3,4
pound (7)
2941:2;2972:19;
3008:14;3009:6,8;
3070:16,16
pounds (24)
2936:6;2938:3,4;
2941:22;2942:20,25;
2943:15,16,17,17;
2992:17,22;3006:7,
11;3007:4,7;3008:5,
8,9,10,22;3059:24;
3060:2,3
powder (4)
2929:9;2985:8;
2988:12;3052:5
powders (1)
2883:18
practical (3)
2910:8,13;2965:6
practice (1)
2957:3
practices (1)
2980:20
precedent (2)
2944:6,8
precedents (1)
3060:23
predecessor (1)
3052:9
pre-existing (2)
2960:25,25
preface (3)
2909:3;3022:17;
3023:4
prefer (3)
2909:12;2999:3;
3050:6
preference (1)
2919:20
preferred (1)
2956:24
preliminary (9)
2884:15;2886:23,
25;2887:3;2904:5;
3003:6;3050:17,17;
3074:13
premium (5)
2933:1;2944:20,
23;2945:6;2990:25
prepared (5)
2891:8;2931:18;
2935:13,14;2936:11
preparing (2)
2946:19;3013:14
pre-Reform (6)
2956:1,9,12;
2961:8,12;3067:10
presence (5)
2926:18;2968:2,3;
3019:2,16
present (7)
2940:24;2975:10;
2976:8;3012:8;
3050:9;3052:3;
3073:4
presented (2)
3042:24;3055:1
presently (3)
2903:23;2913:17;
3022:1
press (2)
2891:18;2974:9
pressure (1)
2997:2
presume (1)
2950:12
pretty (6)
2970:3;2982:2;
3009:17;3019:11;
3027:16;3030:6
prevent (3)
2913:6,18;
2924:17
previous (2)
2913:24;3035:13
price (142)
2894:9;2896:2,9,
11;2897:15,15;
2898:14,25,25;
2899:6;2902:5,25;
2903:12;2906:9,12;
2918:11;2924:21;
2925:9;2930:23;
2932:13;2933:3,8,
10;2934:7;2935:5;
2940:11,12,13,14,14,
18;2943:17,18;
2946:15;2947:13;
2950:17,20;2951:4,
5,12,13,17,21;
2952:1,5,21;2953:3,
7,9;2954:2;2957:19,
21,23;2958:14,15,
18;2959:8;2960:12,
16,19,20;2961:1,1,
10;2962:5,25;
2963:1,10,18,18,21,
24;2964:4,12,16;
2965:2,2,4;2968:6;
2981:25;2982:11,14,
15,15;2991:23;
2992:1,10,10;
3012:22;3013:5,7,8;
3019:13,13;3023:11,
12;3039:9;3040:22;
3041:14;3046:13;
3052:22,22,23;
3053:21;3059:15;
3063:2,3,10,11,14,
17;3067:1,7,9,10,12,
15,15,16,17,18,23,
24;3068:1,3,9,22;
3070:3,9,13,14,15,
19,23,25,25;3071:2,

12,15;3072:19,23;
3073:1
priced (3)
2941:13;3029:14;
3060:5
prices (81)
2893:23,25;
2894:11;2895:11,12;
2896:11;2897:14,16,
18;2898:1,17,19;
2901:6,7;2902:4,12;
2937:24;2940:22;
2943:9,10;2950:22;
2951:2,14,21;
2952:15,19;2953:1;
2956:12;2957:7,12;
2959:9;2960:21,22;
2961:10,25;2962:1;
2963:18,19;2968:6;
2981:22;3012:19;
3013:1,2;3019:24;
3023:10,14,18;
3039:6,15,16,25;
3041:5,9,11,12,13;
3052:17,22;3053:8,
10,10,12;3059:11,
12,18,19,22,23;
3060:13,18;3063:21;
3068:3;3070:2,10,
11;3071:2,13;
3072:1,2;3073:2,8
pricing (49)
2918:21,22;
2925:14;2931:10;
2933:1;2941:3,4;
2943:12;2944:14,20,
23;2945:6,6;2959:7,
19,20;2960:2,3;
2962:2;2978:12;
2979:10;2992:8,22,
25;3002:17;3041:2,
4;3052:12;3053:4,8;
3057:23;3059:12,19;
3060:5,11,20,23,25;
3067:4,14;3068:16,
17,21;3071:10;
3073:5,10,11,15,16
primarily (2)
2947:21;2948:13
primary (2)
2958:12;2959:7
printed (5)
2893:5,6,10,19;
2920:9
prior (10)
2889:22;2936:17;
2940:10;2956:6;
2959:6;2975:17;
3007:20;3009:24;
3063:10;3067:3
private (1)
2937:11
private-label (1)
2937:10
privilege (1)
3022:18
probably (8)
2965:19;2975:15;
2995:21;2996:6;
3045:4,4;3049:1,4
problem (10)
2904:7;2909:23;
2910:4;2920:11;
2956:24;2957:4;
2992:7,8;3035:7;
3039:19
procedure (1)
3059:21
procedures (2)
2887:1;2980:22
proceed (6)
2975:21;2976:11;
3047:15;3048:15;
3050:15;3051:21
proceeding (14)
2889:10,13,14,24;
2890:8;2909:6;
2917:1,16;2919:13,
23;2921:11;
3007:21;3047:22;
3051:3
proceedings (4)
2889:6;3007:21;
3015:19;3048:14
proceeds (3)
2982:3,10;
2986:23
process (11)
2962:14;2963:17;
2964:25;3027:5;
3047:8,10,25;
3056:6;3057:8;
3060:21;3073:6
Processed (5)
2895:10;2897:12;
2901:25;2902:2;
3020:12
processing (4)
2949:1,2;3063:4,7
processor (2)
3020:19,23
processors (2)
2985:24;3063:1
produce (8)
2937:4;2994:13;
3060:14,19,24;
3068:9,15;3073:8
produced (9)
2937:17;2950:25;
2986:25;2988:13;
3012:18;3020:12;
3060:3,10;3063:23
Producer (71)
2883:25;2884:3;
2886:14;2907:4,14;
2911:18;2913:1;
2914:7,18,20,25;
2915:1,4,17;2916:7;
2921:24;2925:7,10,
11,13,13;2927:12;
2932:2,4,21;2933:2,
6,11,17,22,23;
2934:7;2935:5;
2936:3;2938:6,7,20;
2943:19,20;2948:23;
2954:19;2956:24;
2957:4;2958:2,9;
2960:15,17,21;
2961:25;2962:1,5;
2970:5;2971:2;
3003:25;3004:2,7,9,
15;3006:1;3010:15;
3011:13;3012:22,23;
3013:7;3026:21;
3029:1;3037:7;
3041:14;3043:15;
3059:5,24
producer-handler (16)
2938:2;2939:24;
2940:10,21;2941:1,
3,4,18,23;2942:19;
3007:20,24;3008:9,
17;3009:7;3043:4
producer-handlers (23)
2918:14,16;
2936:17;2937:3,4,
12,20;2938:9,10,24,
25;2940:6,20;
2941:6,18;2942:9,
14,24;2953:15;
3008:21,25;3019:17;
3041:8
producer-incentive (1)
2961:24
producer-milk (1)
3037:22
Producers (30)
2884:3,8;2907:19,
23;2918:11;
2924:21;2925:16,19,
20;2926:13;
2928:22;2929:17;
2931:11;2932:17;
2933:14,21;2934:1,
7,13;2944:15,20;
2945:4;2987:16;
3011:21;3012:5,15;
3013:1;3018:15;
3026:14;3063:13
produces (2)
2895:22;2947:5
product (34)
2937:5,8,10;
2939:5;2985:18,21;
2988:3;2989:11,17,
20;2990:8,11,14,17,
17;2991:9;3028:25;
3052:21;3053:3,4,
12;3057:6,7,11,12,
17,20;3058:2,3,7;
3059:20;3060:18;
3063:3,5
production (18)
2929:18;2983:5,7;
2992:17;2993:25;
2994:15;3002:11,17;
3004:1,6;3005:15;
3035:11,12;3052:16;
3060:2,4,5;3072:25
products (37)
2895:10,23;
2897:12;2902:3;
2906:4;2937:9;
2939:25;2950:4;
2984:22;2985:5,6,9,
10,13;2987:17,24;
2988:6,11,13,14,15,
18,18,19;2990:7;
2991:10;3056:7,9;
3057:14;3058:14;
3060:10,10,13,14,19,
24;3073:9
profitability (3)
2995:6,7;2996:25
profitable (1)
2994:13
profit-driven (1)
2971:15
progeny (1)
3001:3
Program (15)
2882:4;2907:6;
2929:18;2989:3,8;
3000:7;3005:14;
3012:16;3014:25;
3016:25;3017:3,9;
3019:13;3042:20;
3070:3
Programs (8)
2882:2,7;2919:3;
2936:14;2997:3,4;
2998:23;2999:10
Programs' (1)
2889:22
prohibit (1)
2959:20
project (1)
3002:9
projection (1)
3002:13
promote (8)
2985:5,7,8,9,17,
20,23;2987:17
promoted (1)
2985:13
promotion (4)
2984:22;2987:16;
2989:3,8
promotions (1)
2991:12
properly (1)
3073:24
proponent (1)
2882:13
proponents (10)
2882:16,20;
2883:4;2934:14;
2935:6;2953:3;
2966:8;2982:24;
3013:20;3014:1
Proposal (76)
2882:16,20;
2883:4;2889:25;
2892:18;2893:22;
2898:23;2903:22;
2913:4,5;2915:14;
2931:12,12;2932:3;
2934:17;2938:19;
2943:24;2951:18;
2952:1,7,16,23;
2953:3,5;2954:7,8,
10,12;2961:15,24;
2965:1;2967:25;
2969:5,19;2970:15,
16;2971:9,14,15;
2978:6;2982:25;
3003:22;3008:2,3,7,
15;3010:13;
3011:15;3012:4;
3013:12,14;3014:1,
1,2;3017:5,10,14,15;
3034:18;3036:18,19;
3037:3;3040:11,24;
3041:20,21,22,25;
3042:11,14,24;
3045:21;3049:10,14;
3052:13;3058:18
proposals (7)
2884:18;2928:24;
2930:2,12;2953:12;
2959:7;3018:14
propose (9)
2898:23;2922:13;
2954:9;2957:25;
2962:22;2967:12;
2978:9;3053:2;
3059:14
proposed (28)
2891:24;2917:19;
2919:12;2920:24;
2926:8,15;2927:5;
2928:17;2930:8;
2932:12,18;2951:3,
5;2952:15,20;
2953:2,24;2954:1,8;
2955:2,6;2961:15,
16;2964:23;
2967:10;3014:17;
3018:22;3052:24
proprietary (13)
2915:7;2916:18,
21;2917:7;2918:15;
2930:21;2967:7;
2972:4;2989:21,23;
2990:8,13;3008:4

proprietor (1)
2977:15
pro's (1)
3013:22
protein (6)
2982:2;2992:8;
3057:19;3067:7,12,
15
provide (18)
2887:20;2916:20;
2925:6,15;2926:13;
2931:10;2952:14,19;
2971:9;2989:23;
3015:17;3033:16;
3037:6;3042:14;
3046:7;3047:16;
3048:24;3053:9
provided (6)
2889:17,18;
3006:4,12;3058:13;
3067:7
provides (1)
2990:20
providing (3)
2923:23;2924:7;
2926:1
provision (33)
2907:17;2909:9;
2911:24;2915:7;
2916:3,13,17,20;
2917:2,4,8,8;
2921:16,22;2928:11,
12;2930:22;2967:8;
3009:6;3018:16,21;
3026:12;3028:23;
3035:9;3040:6,7;
3042:14;3045:7,10;
3059:3,11;3073:10,
15
provisions (27)
2913:16;2915:23;
2925:11;2944:2;
2951:3,12;2952:12;
2954:25;2956:1;
2967:11;3013:5,9;
3014:18;3038:2;
3042:16,17;3044:10;
3045:9,9,14,17;
3046:1,13;3058:25;
3059:6,9;3071:9
proviso (3)
2913:19;3006:3,4
provisos (1)
2964:24
proximity (1)
2958:11
proxy (6)
2899:6,7,8;
2900:6;2901:2;
3026:6
prudent (3)
2964:12,16;
3019:11
public (2)
2890:3;2980:22
publication (1)
2950:1
publications (1)
3017:8
publish (2)
2946:8,10
published (6)
2921:1;2940:14;
2949:16,21;2950:1;
3038:23
pulled (1)
2889:22
punctuation (3)
3051:5,6;3056:18
purchase (8)
2947:6,12;2983:9,
19;3008:25;3009:1,
5;3010:14
purchased (9)
2947:8;2982:7;
2983:6,8,10,20,21;
3001:6,10
purchasing (1)
2932:22
purpose (3)
2936:22;2994:10;
3015:20
purposes (8)
2898:24;2902:25;
2903:2;2923:18;
2995:20;3005:9;
3015:21;3023:23
pursuant (3)
3006:1,7;3034:22
put (14)
2890:12,22;
2911:23;2931:18;
2932:8;2935:19;
2985:24;2991:11,20;
2995:17;2997:8;
3006:22;3018:12;
3032:18
putting (2)
2908:12;2999:22
puzzle (1)
2959:22

Q

qualification (3)
3010:11;3045:8,
13
qualifications (2)
3036:19,23
qualified (5)
2934:7;2941:22;
3008:8;3010:1;
3032:24
qualifier (1)
3009:19
qualify (21)
2925:12;2933:14,
18,22;2934:1,22;
2992:18;3009:7;
3010:7,15,17;
3011:1,13;3030:15,
17,17,21;3031:1,6,8;
3037:1
qualifying (2)
3010:10;3014:20
quality (2)
2994:19,24
quantify (1)
2934:20
quantity (8)
2914:13,22;
2916:8;3005:19,24;
3034:21;3038:4,10
quibble (1)
2908:12
quickly (3)
2886:2,4;3034:5
Quite (8)
2985:15,16;
2995:14;3012:13;
3047:23;3050:20,24;
3051:1
quota (74)
2900:4,17;
2902:24;2926:18;
2932:23;2934:2,8,
14;2935:2,4,7;
2937:24;2938:4,9,
11,15,20;2939:4,16,
24;2940:7,13;
2941:12,15,19;
2942:13,24;2944:20,
20,21,22;2945:3,5,7,
8;2968:1,2;2978:11,
13;2982:6;2983:4,5,
6,8,8,9,19,20,22;
2984:5;2986:18,18,
25;2987:1,3,6;
3007:21;3008:22;
3012:16,19,23;
3013:17;3014:3,25;
3016:16,20,25;
3017:3,9,12;3019:2,
17;3025:24;3045:10
Quota's (1)
2983:10
quote (5)
2929:2,21;
2930:16;2989:1;
3055:2
quoted (1)
3056:2

R

Rachel (1)
2883:10
R-A-C-H-E-L (1)
2883:10
raise (5)
2884:22;2886:25;
2975:8;3047:15;
3050:4
raised (2)
2964:19;3000:23
raises (1)
2999:25
RAMIREZ (2)
2883:13,13
R-A-M-I-R-E-Z (1)
2883:14
ran (2)
2898:4;3024:24
ranch (3)
2970:17;3000:12,
13
range (1)
3071:25
ranged (1)
3070:15
Rarely (2)
2994:4,4
rate (2)
2961:10,25
rather (6)
2903:19;2909:8;
2920:6,10;2960:6;
2999:15
ratio (2)
2895:19;2997:11
rationale (2)
3059:1,6
raw (4)
2958:22;2960:10;
3011:3;3028:25
Re (2)
2886:20;2997:15
reach (5)
3020:24;3021:9,
10,14,18
react (1)
2996:24
reacted (1)
2996:25
read (36)
2885:18;2886:17;
2891:6;2900:2;
2909:9,15;2920:20;
2923:15,18,20;
2926:12;2930:18;
2956:4;2960:7;
3004:3;3010:20;
3022:18;3025:9;
3028:15;3034:20,25;
3038:7,7;3050:23;
3055:15;3056:22;
3058:12,23;3067:17,
21;3071:7;3072:9,
17;3073:13,24;
3074:5
readily (1)
2893:9
reading (6)
2929:20;2956:2;
3005:10;3022:18;
3050:18;3057:2
reads (4)
2914:19;3011:16;
3014:15;3074:4
ready (4)
2920:13;2974:13;
2998:9;3048:18
real (7)
2897:19;2984:23,
24;2987:14;2988:2,
15;2991:1
reality (1)
3002:9
realize (4)
2902:25;2909:25;
2910:7;2978:24
really (11)
2971:12;2983:14;
2989:15;2993:12;
3000:25;3030:22;
3031:2,3,12;
3045:15,19
realm (1)
3015:5
reason (7)
2918:14;2941:2;
2945:4;2980:8;
2995:2;3020:4;
3033:20
reasonable (5)
2896:9;2924:15;
2925:19;2934:16;
2964:12
reasonably (1)
3018:5
reasons (15)
2888:23;2918:5;
2926:23,23;2928:24;
2945:3;2967:24;
2993:21;2994:11;
3000:9;3032:18;
3035:15;3042:10,15,
22
recall (31)
2889:3,8;2892:20,
22;2928:18,19,20,
23;2929:11;
2930:20;2932:13;
2945:23;2948:9;
2955:18;2957:1,13,
14,14,18,22;2960:6;
2965:25;2967:9;
2978:22;3008:7,11;
3009:24;3025:19;
3037:22;3038:25;
3041:21
receipt (2)
2949:12;3043:18
Receipts (17)
2895:9,16,20;

2896:8,15,17,18; 2897:11;2901:24; 2902:1,7,15,17; 2903:22;2972:22; 3004:15;3006:5
receive (20) 2896:11;2902:8, 11;2925:8;2932:22; 2935:5,5;2943:21; 2944:20;2947:25; 2958:20;2960:8; 2972:19;2979:12,12; 2987:4;2991:24,24; 3012:19,22
received (33) 2888:14;2892:15; 2895:10;2897:12; 2901:25;2902:2; 2914:12,19,21; 2915:14,16,17; 2916:7,23;2940:4; 2943:19;2948:19,23, 25;2966:14;2972:11, 14,25;2976:19; 2981:25;2982:13; 3004:2,7;3005:15; 3006:1;3007:7; 3038:3,9
receives (6) 2944:15;2954:19; 2967:20;2989:7,9; 2991:5
receiving (7) 2945:5;3013:1,2,4, 7,8;3030:22
recent (5) 2894:7;2972:9; 2981:21;2989:16; 3026:5
receptive (1) 2956:25
recess (2) 2974:15;3074:17
reclassification (1) 3056:10
recognize (3) 2891:18,20; 2905:1
recognized (4) 2984:23;3046:12; 3060:12,17
recollection (1) 2956:22
recommend (2) 3059:3,8
recommendation (1) 2928:11
recommendations (1) 2909:23
recommended (2) 3070:2,4
recommends (1) 3058:18
reconsider (1) 3057:3
record (35) 2886:17;2909:7, 13;2910:2;2914:15; 2920:12,15,20; 2922:2,4,14,18; 2923:20;2924:9; 2938:6;2975:2; 2982:9;3005:5; 3006:23;3017:17; 3022:19;3023:1; 3028:1;3029:24; 3033:11;3046:8; 3047:10;3048:8; 3055:6,16;3074:3,7, 14,15,16
recorded (1) 3048:3
recording (1) 2885:8
records (1) 2909:15
record's (1) 2952:4
re-create (1) 2897:2
RECROSS-EXAMINATION (1) 3043:9
redirect (8) 3022:12;3033:8; 3034:10;3035:24; 3036:1;3043:6,12; 3045:2
reduce (4) 2933:10;2966:9, 25;2997:10
reduced (1) 2950:6
reduction (1) 2999:3
refer (7) 2955:8;2981:17; 2995:21;3015:12; 3051:5;3059:4; 3068:19
reference (7) 2910:21;2918:10, 21;2919:4;2951:13; 2952:19;2953:1
referenced (5) 2919:10;2986:17, 20,23;3057:5
references (1) 2890:3
referencing (1) 2919:16
referred (4) 2952:6;2955:9; 2998:2;3021:8
referring (5) 2910:3;2955:25; 2962:24;3005:11; 3021:20
refers (5) 2909:17;3043:18; 3045:19;3058:22,24
reflected (4) 2930:17;2957:24; 3053:13,18
reflection (1) 2934:17
Reform (14) 2918:3;2955:11, 24;2956:7;3046:11; 3056:6,8;3057:8; 3060:21;3063:10; 3067:3;3073:7,9,14
Reformed (1) 2955:20
refresh (1) 2955:15
Reg (2) 3068:23;3070:8
regard (6) 2888:9;2936:15; 2937:25;2940:22; 2965:18;3019:2
regarding (1) 3012:15
regardless (2) 2916:14;3009:6
regards (2) 3000:5;3026:12
region (4) 2967:16;2976:22; 2989:11;3070:18
regional (5) 3070:19;3071:21; 3073:2,11,16
Regions (1) 3072:25
Register (10) 2911:2;2913:21; 2919:15;2920:18; 2921:1,2;2936:7; 3005:6,9;3050:20
regular (4) 2924:18,21; 2944:20;2945:5
regulate (5) 2916:4;3019:17; 3021:19,21;3041:6
regulated (16) 2896:12;2927:1; 2936:18;2938:10; 2940:9;2942:20; 2953:14;2962:19; 2963:19;3008:5,10, 14;3013:7;3019:22; 3022:1,8
regulates (1) 3031:25
regulation (14) 2918:15;2936:2; 2937:22;2938:1,2,3, 13;3013:3;3020:20; 3021:9,10,18; 3022:1;3041:8
regulations (3) 2909:25;2911:3; 3013:4
regulatory (12) 2916:21;2917:6; 2960:25;2961:9; 3013:12,15;3022:9; 3052:1,6,10,12; 3055:14
reinvest (1) 2999:16
reiterated (1) 3068:16
rejected (4) 3008:16;3013:20; 3070:20,24
relate (1) 3040:14
related (5) 2918:25;2923:2; 2930:4;2939:4; 3007:19
relating (4) 2939:14;3038:23; 3045:14,14
relations (2) 2980:22;3038:16
relationship (10) 2962:7,19,22; 2963:16;2964:2; 2998:14;3026:23; 3027:9;3037:20,24
relationships (7) 2957:20,21; 2963:21;2964:5; 3027:24;3028:4; 3038:15
relative (7) 2917:11;2946:22; 2949:11;2956:19; 2957:6;2964:8; 2997:24
releases (1) 2891:19
relevant (1) 2917:16
reliable (1) 2924:11
relies (1) 2927:2
reloaded (1) 3029:11
rely (1) 3072:20
relying (1) 2962:18
remain (3) 2887:8;2915:17; 3046:19
Remainder (4) 2895:10;2897:12; 2901:25;2902:2
remaining (1) 2943:18
remember (12) 2889:13;2930:10, 12,13,21;2931:2; 2953:16;2957:17; 2967:6;2972:9; 3030:18;3045:12
remind (1) 2966:16
remotely (1) 3033:13
remove (3) 2917:2,4;3017:3
removed (2) 2918:5;2997:21
Reno (28) 2892:23;2894:11, 18;2895:3,9,16,18, 20;2896:8,17,24; 2897:11;2898:2,12; 2901:4,13,25; 2902:2,7,15,17,17; 2903:12,12,22; 2906:2;2913:11; 3026:17
Repeat (3) 2955:22;2975:5; 3070:7
repeating (1) 3040:25
repetitive (2) 3023:1;3029:23
rephrase (1) 2989:5
replace (2) 2997:13;3048:9
replaced (2) 2997:22;2998:8
replacement (7) 2978:19;2995:20; 2997:3,4;2998:17, 23;3001:9
replacements (4) 2995:22;3000:5; 3001:9,21
repooling (6) 2969:20;3031:24; 3034:16,21;3035:1, 10
report (5) 2927:18;2970:22, 23;2971:4;2979:2
reported (7) 2915:2;3006:1,7; 3034:22;3059:24; 3067:9;3072:22
reporter (7) 2885:8;2889:18; 2893:5;2922:23; 3004:3;3051:2,3

reporting (1)
2970:21
reports (1)
2989:2
represent (6)
2883:25;2922:18;
2932:1;2937:21;
3052:6;3071:1
representation (1)
2901:21
representative (4)
2883:23;2945:19;
2946:16;2987:11
represented (2)
2925:10;2997:1
representing (6)
2882:15;2883:20;
2884:8;2927:11;
2979:1;2982:24
represents (1)
2949:24
request (7)
2976:15;3026:9;
3047:19,24;3049:8;
3050:17;3055:17
requested (2)
2946:7,9
requesting (1)
2995:10
requests (1)
3047:16
require (5)
2954:1;2964:5;
2970:3;3014:5;
3027:15
required (3)
2961:14;3060:13,
18
requirement (14)
2949:6;2970:6;
3003:20,21,25;
3004:22;3027:15;
3031:11,16,19;
3043:19;3044:6,11,
20
requirements (5)
3010:24;3028:19;
3037:1;3042:17,18
requires (1)
2952:16
requiring (2)
2932:23;2963:24
research (4)
2958:18;2985:21,
21,22
reserve (2)
3033:3,4
resident (1)
2973:11
respect (8)
2919:11;2975:17;
2992:23;3015:18;
3039:5,6;3040:11;
3043:14
respective (4)
3024:12,13,13,13
respond (4)
2926:11;2969:15;
3018:18;3034:4
responding (1)
2986:11
response (4)
2969:13;3016:5;
3043:12,13
responsibilities (1)
3052:11
responsibility (2)
2959:7;2971:18
rest (12)
2897:23;2910:24;
2922:17;2974:8;
2978:11;2993:15,16;
2994:5,16;3014:11;
3019:25;3038:20
restate (1)
2938:5
restore (1)
3012:5
restrict (1)
2968:20
restrictions (1)
2969:22
result (16)
2923:22;2924:7;
2925:25;2927:1;
2934:6;2940:19;
2944:24;2964:5;
3006:25;3007:11;
3019:11;3023:25;
3057:15;3060:22;
3073:9,14
results (3)
2913:6;2917:7;
2924:20
resume (4)
2887:7;2891:9;
3055:22;3074:10
resuming (1)
3003:6
retain (1)
2952:14
retrace (1)
2914:2
return (4)
2983:13;2997:7;
2998:3;3052:9
returned (1)
2924:21
returning (2)
2886:9;2997:9
returns (2)
2925:22;2933:13
reveals (4)
2922:4,14;
2923:20;2924:9
revenue (2)
2925:18;2992:16
revenues (2)
2918:8;2952:14
reversed (2)
2977:22;2995:3
review (2)
3014:14;3018:25
reviews (1)
2989:2
reword (2)
2966:13;3010:21
rewrite (1)
3055:11
rid (1)
2998:10
right (77)
2884:13;2886:22;
2887:3;2888:6,9;
2890:9,19,24;
2891:9;2894:6;
2895:5,7,18;
2897:24;2898:9;
2899:12,13,16,21;
2900:3,14;2901:13,
13;2905:16,23;
2906:19;2909:24;
2911:25;2920:12;
2929:4;2931:6;
2932:8,23;2933:9,
19;2935:22;2937:14,
23;2940:1;2941:5,
11,20,24;2942:2,3;
2944:21;2946:14;
2965:15;2966:11;
2973:18,21;2974:6,
11,13;2975:8;
2986:13;2995:11,18;
2998:3;3000:25;
3004:13;3005:11;
3008:15;3016:15;
3020:4;3027:4;
3033:3,4;3048:2;
3049:5,11,21;
3050:8;3051:12;
3055:18,24;3074:16
rights (3)
3037:7,12;
3042:13
risk (2)
3017:16;3046:9
Rives (1)
2883:24
R-I-V-E-S (1)
2883:25
Road (1)
3052:2
Roger (5)
2973:8,10,13,14;
2975:19
R-O-G-E-R (2)
2973:14;2975:19
role (1)
2884:23
Roman (6)
2952:6,7;3053:24;
3056:13,16,24
room (7)
2885:21;2886:9;
2911:1;3012:11;
3033:21,21;3055:9
rough (2)
2987:3;3048:10
roughly (8)
2983:6;2986:14,
15;2987:7;2992:16;
2995:21;2998:5;
2999:22
rounding (1)
2897:3
route (2)
3013:24;3036:25
RQA (1)
2900:18
RQA's (1)
3025:25
rule (5)
2997:25;2998:5;
3010:15;3020:11;
3073:6
rules (9)
2934:14;2935:6,7;
2937:23;3004:22;
3005:23;3009:7;
3015:17;3019:10
run (3)
2898:6;2904:24;
3019:12
running (1)
2919:15
Ryan (3)
2884:7;3011:21;
3021:7

S

safe (1)
2995:24
sale (4)
2939:10;2985:5;
2997:6;3000:8
sales (13)
2896:24;2925:22;
2941:21;2950:4;
2989:21;3022:5,7;
3038:24;3053:12;
3060:11,18;3063:3;
3072:21
sales-weighted (1)
3072:19
same (47)
2893:22;2897:17;
2901:15;2909:10;
2910:15;2926:16;
2932:16;2935:2,8;
2939:11,20;2940:5,
22;2943:10;
2944:19;2945:2,2,3,
4,7;2947:4,9,14;
2952:20;2953:17,24;
2954:10;2956:14;
2960:10,10,21;
2961:10,25;2970:24;
2981:10;3007:4,6,
11;3019:24;
3022:22;3025:17;
3040:15;3041:20,25;
3042:1;3070:11;
3071:4
satisfied (1)
3010:2
save (1)
2920:4
saw (3)
2893:20;3017:4,4
saying (11)
2903:16;2922:20;
2923:1,4;2939:8,18,
19;2940:3;2948:8;
3006:17;3013:7
scanned (2)
2990:11,20
Scared (1)
3036:5
scenario (3)
2965:22;2971:20;
2983:11
scenarios (1)
2913:18
SCHAD (31)
2882:21,21;
3036:10;3047:14;
3049:10,14,18;
3050:6,7,11,14,14;
3051:20,24;3052:18;
3053:16,17,18;
3055:14,20;3056:1,
22;3060:15;3063:17,
20;3067:21,24;
3070:23;3072:10,17,
18
S-C-H-A-D (3)
2882:22;3050:14;
3051:24
Schad's (1)
3047:18
Schaefer (1)
3059:2
schedule (1)
2959:15
SCHIEK (3)
2883:8,8;2906:18
S-C-H-I-E-K (1)
2883:8
Science (2)
2976:19;2998:20
scoot (1)
2975:13
scope (1)
3053:10

seal (7)
2984:23;2987:15;
2988:2,7;2990:3;
2991:2,6
seasonal (4)
3071:11;3073:3,
10,15
seated (3)
2975:4,7;3050:12
second (30)
2889:6;2891:14;
2895:15;2896:3;
2903:4;2908:21;
2910:20;2911:13;
2922:11;2923:7,15,
18,21;2929:4,24;
2930:18;2950:24,24;
2951:8;2952:13;
2958:7;3014:15;
3015:9;3037:17,18;
3046:24;3049:13;
3055:19;3073:24;
3074:4
secondly (1)
3042:19
Secretary (25)
2903:16,23;
2921:25;2922:1,5,
11,20;2923:1;
2936:25;2965:7,8;
2971:19;3027:25;
3060:12,16,17;
3068:14,20;3070:6,
9,18,20,24;3072:20,
22
Secretary's (7)
2919:11;2922:2,
12,20,21;2923:8;
2926:11
Section (39)
2892:18;2893:22;
2907:3,7;2911:6,10,
12,14;2914:6;
2915:20;3005:9;
3028:19;3029:1;
3031:23,25;3032:19;
3034:18,20,24;
3037:9,10;3038:9;
3040:13;3057:6,7,7,
12,14;3058:22,24;
3059:1,4,4,6,10,13,
15,17,21
Sections (5)
3052:24;3053:1;
3055:14,21;3058:19
seek (1)
2968:8
seeked (1)
2980:3
seeking (1)
2918:11
seem (2)
2904:23;3029:23
seems (2)
2909:4;2971:12
segment (1)
2922:9
segments (1)
3048:4
Select (2)
2884:8;3011:21
selection (1)
2980:21
selective (1)
2966:1
self-contained (1)
3020:11
sell (7)
2929:9;2939:6;
2985:9,23;2990:16;
2997:10;3063:5
selling (2)
2929:19;2939:25
Senior (1)
3002:7
sense (6)
2934:8,12,25;
2992:22;3000:9;
3012:25
sentence (17)
2925:2;2951:2,11;
2952:13;3014:14,19;
3025:10;3028:15,21;
3052:19;3060:15;
3063:15;3067:21;
3070:22;3071:7;
3073:13,23
separate (5)
2885:13;2891:15;
3013:16;3014:2;
3071:12
September (3)
2920:25;2921:6;
3070:14
sequence (2)
2916:4;3038:1
series (6)
2957:9;3070:14,
15;3071:2,12,15
serve (2)
2905:6;2955:2
served (4)
2947:21;2949:5,7;
2984:11
serves (2)
2918:2;2925:24
service (7)
2923:23;2924:8,
18,22;2925:7;
2926:1;2990:19
serviced (1)
2996:22
Services (1)
3060:1
servicing (2)
2929:8;2930:4
serving (2)
2929:22;2930:17
session (3)
2885:2;2975:1;
3046:17
set (9)
2897:20;2934:15;
2945:14;3007:15,18,
22;3013:2;3046:10;
3047:18
setting (1)
3059:21
settlement (1)
3026:8
several (7)
2976:23;2977:5;
3012:14;3044:7;
3052:12;3060:22;
3067:3
shall (6)
2907:7,11,13;
2911:18;3004:5;
3055:15
share (12)
2918:8;2920:5,7;
2925:13,17,21;
2926:14;2989:21;
2990:2,5,21;3013:19
shared (1)
2918:24
shares (1)
2990:10
sharing (3)
2918:17,17;
3032:23
shed (1)
3016:12
sheet (2)
2983:23;2984:2
shelf (3)
2990:7,9,10
shift (1)
2917:22
shifts (2)
2917:18,20
ship (5)
2902:17;2944:5;
2995:18;3026:15;
3030:16
shipments (3)
2944:6;3030:15;
3031:8
shipped (2)
2915:1;3029:11
Shippelhoute (1)
3058:16
shipping (4)
3026:25;3028:12,
25;3031:11
short (1)
3012:13
shortened (1)
3016:7
shorter (1)
3011:23
short-term (1)
2998:14
shoulder (1)
2929:7
shouldering (1)
2929:17
show (6)
2896:5,7,17;
2897:18;2898:7;
2978:18
showing (1)
2905:23
shown (2)
2913:6;3038:22
shows (5)
2898:16;2902:7;
2903:3;2913:8;
2950:4
shrinkage (3)
2906:10,12;
3059:5
side (7)
2894:7;2900:14;
2901:13;2961:24;
2973:1;3040:1,2
sides (3)
2893:6,7,19
signed (1)
2920:25
significant (15)
2963:4;2964:3;
2978:12,24,25;
2979:11;2985:7;
2996:21;2999:11;
3008:25;3028:6,22,
23,24;3030:6
significantly (5)
2962:23;2963:25;
2996:19,19;3035:17
similar (15)
2897:18;2908:3;
2910:19;2911:14,20,
24;2916:21;2919:7;
2991:1;2994:8;
2995:5;3039:21;
3045:18;3053:5;
3057:25
similarity (1)
3041:11
similarly (1)
2911:18
simple (1)
2979:9
simplification (1)
2906:5
simply (5)
2894:17;2955:4;
2970:20;3027:19;
3039:13
single (1)
2910:14
sit (1)
2984:14
situated (1)
3020:7
situation (13)
2913:15;2939:15;
2954:21;2977:23;
2994:17;3001:25;
3002:12;3014:6,23;
3016:10,25;3019:1;
3020:21
situations (3)
3015:22;3016:2;
3030:5
six-month (3)
2997:7;2998:2,8
size (3)
2942:1,9;2993:2
skim (3)
2950:7;3057:9;
3059:22
skipping (1)
3004:14
slash (4)
2888:1,2,2,3
slashes (2)
2887:23,24
slight (1)
3071:15
slightly (1)
2931:25
Slow (1)
2923:3
slower (1)
3004:4
small (5)
2976:18;2992:14,
15,18;3029:19
smaller (2)
2993:4;3063:21
so-called (1)
3040:7
society (1)
2979:7
sold (6)
2949:17;2990:14;
2995:11;3001:10,22;
3010:19
sole (1)
2977:14
solely (1)
3010:23
solemnly (2)
2975:8;3050:8
solids (4)
3057:18;3059:23;
3067:10,13
solution (2)
3014:18,21
somatic (1)
2982:2
somebody (2)
2904:14;3041:19

somehow (2)
2898:11;3030:17
someone (7)
2923:4;2941:14;
2944:6;2989:25;
2990:17;3002:9;
3017:8
someplace (1)
3042:20
sometimes (7)
2939:1;2965:25;
2966:1;2984:8;
2989:19;3050:24;
3051:13
somewhat (2)
3012:12;3020:11
somewhere (2)
2972:20;3025:21
soon (3)
2910:6;2965:14;
3049:2
Sophomore (1)
3002:6
sorry (23)
2901:1;2907:24;
2922:13,23;2925:2;
2928:20,25;2929:15;
2950:20,23;2969:11;
2989:1;3004:3;
3012:10;3024:22;
3025:2;3026:10,22;
3032:3;3048:22;
3058:11;3068:12;
3071:8
sort (7)
2906:11;2913:9;
2922:14;2938:17;
2952:25;2959:14;
3015:20
sound (1)
3047:7
sounds (1)
3002:3
source (5)
2890:2,21;
2945:25;3025:16;
3070:7
sources (3)
3009:1,6;3059:18
Sourcing (1)
3052:1
South (3)
2977:19,19;
2995:9
Southeast (3)
2963:9,12;
3071:19
Southern (19)
2899:1,4;2946:1,
14,21,25;2947:2,4;
2948:6,18;2949:4,7,
14,18;2950:5,8,11;
3039:12;3071:20
Southwest (1)
3018:16
Southwestern (2)
3071:18,23
sparked (1)
3021:2
speak (4)
2886:14;2888:23;
2916:5;2959:13
speaking (1)
2997:23
special (1)
2981:17
specific (6)
2894:23;2914:4;
2979:18;2988:3;
3013:14;3045:21
specifically (4)
2915:11;2928:20;
3016:19;3021:20
specifying (1)
2925:12
speculation (1)
3015:7
spell (5)
2887:9;2973:13;
2975:12;2982:20;
3050:13
spelled (1)
2884:2
spelling (3)
2888:7;3051:12,
13
spending (1)
2993:5
spite (1)
3047:7
split (1)
2921:16
sponsor (1)
2904:25
sponsored (1)
3052:14
spread (2)
2963:18,24
stable (1)
2997:13
staff (1)
3048:19
stage (1)
3007:22
stand (10)
2886:12;2887:5;
2904:21;2975:4;
3003:6;3036:4;
3043:25;3044:3;
3050:6;3072:13
standard (7)
3009:23;3010:2;
3029:23;3030:2;
3057:18,21;3067:25
standardize (1)
3073:7
standards (31)
2917:23;2921:12,
13,24;2924:14,24;
2925:3,9,12,15,23;
2926:6,12,24;
2944:8;2967:14,15;
2968:15,17,18;
2969:25;2970:1,3,
14;3007:15,15;
3009:15,17,17;
3018:12;3034:16
standpoint (1)
2938:25
start (22)
2886:13;2887:16;
2904:14;2925:2;
2945:20;2966:19;
2969:12;3027:6;
3052:18,18,20;
3057:13;3059:2,8;
3060:15;3063:15,25;
3067:22,23;3068:12;
3070:21;3071:7
started (4)
2907:15;2972:9;
2977:8,9
starting (14)
2906:25;2917:15;
2918:22;2919:15;
2921:2,12,25;
2922:10;2923:15,19;
3067:15,17,18,24
starts (7)
2908:20;2922:1,3;
2923:6;2929:24;
3063:16;3073:23
state (63)
2887:9;2893:23;
2894:15,17;2895:12;
2897:13,14,17,21;
2898:1,17;2902:12;
2908:3;2915:21;
2923:5;2934:15,18,
22;2935:3,7,10;
2946:16;2950:14;
2951:1,2;2953:14;
2956:3;2959:2;
2970:17;2975:12;
2976:19;2978:20;
2993:25;3001:21;
3012:4;3019:20,20,
21;3021:10,18,19;
3023:10,11,19;
3025:11;3036:20,21;
3039:15;3041:6,7,7,
18;3042:1,5,8,8,8,8;
3045:22,22;3050:13;
3052:6,12
stated (1)
3021:8
statement (25)
2889:25;2916:9;
2917:24;2919:20;
2922:19;2931:18;
2935:14;2936:12;
2953:1,18;2979:5;
3011:25;3022:18;
3023:5;3024:25;
3026:8;3037:17,17,
18;3038:11;3041:1;
3043:4;3047:18;
3051:21;3052:8
statements (3)
2886:23;2935:14;
2983:23
states (11)
2952:13;2972:18;
2976:13;2980:19;
2985:10;2988:7,23,
24;3063:23;3071:12,
13
state's (1)
3070:25
statistics (4)
3038:23;3060:1;
3072:7,10
status (6)
2907:15,20,25;
2910:8;3037:5,6
statute (6)
2901:8,9,10;
2945:15;2951:3;
2957:12
stay (1)
2923:7
stayed (1)
2897:16
staying (2)
2907:20;3048:13
step (1)
3047:3
steps (2)
2914:2;3051:17
sticker (4)
2890:10,12,19,22
still (17)
2886:8;2897:14;
2910:8;2921:18,22;
2964:19;2983:12;
3008:9;3016:17;
3031:13;3039:16;
3044:10;3047:8,10;
3050:4;3051:13;
3055:21
stock (6)
2997:4,4;2998:8,
14;3000:10,24
Stoel (1)
2883:24
S-T-O-E-L (1)
2883:25
stop (5)
3038:6;3067:20;
3070:21;3072:12;
3073:20
stopping (1)
3072:16
store (1)
2939:6
straight (1)
3024:24
strike (1)
2890:18
striking (1)
3055:11
strong (1)
3027:16
strongly (2)
2978:5,5
structure (4)
2961:8,8,17;
3046:11
structures (1)
2961:12
study (2)
2913:13,20
subject (18)
2915:25;2916:6,
10;2917:11;
2918:15;2937:23;
2938:3,10;2944:1;
3022:1;3038:11,14;
3040:15,16;3047:22;
3059:1,7;3067:6
subjects (1)
3052:24
submitted (5)
2978:6;2989:2;
3008:2,12;3018:14
Subsection (3)
2936:2,11,13
subsequent (1)
2959:6
substantial (4)
2936:15;2948:17;
2971:22;3020:19
substantive (2)
2917:6;2936:16
subtract (4)
2900:8,8,18,18
subtracted (3)
2900:16;2932:11;
3024:9
subtracting (1)
3067:11
succeeding (1)
3063:21
success (2)
2989:3,8
successfully (1)
2918:10
sudden (1)
2955:16
suggest (2)
2959:11;3033:20
suggesting (2)
2938:19;2939:9
suggestion (3)
2890:16;3070:20,

24
summary (3)
3071:9;3072:8,11
superimpose (1)
2957:25
supplemental (1)
2958:12
supplied (1)
2924:16
supplies (2)
2892:23;2924:11
supply (18)
2921:13,18,21;
2924:14;2925:1,5;
2958:1,12;2965:4;
2970:2;3001:15;
3026:24;3027:20;
3028:16,18;3032:5;
3034:17;3035:17
supplying (6)
2924:19,22;
2925:21;3027:17,19;
3037:7
support (10)
2891:25;2927:19;
2930:1;2978:5;
2980:2;3049:10,14;
3052:13;3068:16;
3070:3
supported (1)
2892:4
Supports (1)
2889:25
sure (27)
2893:8;2900:1;
2931:23;2938:5;
2945:21;2955:8;
2956:13,14,14;
2961:13;2978:15;
2984:18;2989:5;
3001:19;3006:16,16,
23;3011:15;3020:3;
3022:25;3025:20;
3029:23;3030:24;
3032:21,24;3038:6;
3047:23
surface (17)
2957:24;2958:14,
15,18;2959:8;
2960:12;2961:21;
2963:10;2964:13,17;
2965:2,5;2966:2;
3046:6,8,12,13
surprised (1)
3008:12
surrounding (1)
2947:11
survey (3)
3063:12,20;
3072:21
sustain (2)
3000:18,24
swear (4)
2975:7,8;3050:6,8
sweetened (1)
3056:11
switching (1)
3048:15
sworn (2)
2887:8,9
symptom (1)
2957:3
system (21)
2921:18;2926:18;
2927:4;2946:4,5;
2953:10;2957:24;
2960:20,24;2963:9;
2968:1,2;2971:16;
3020:25;3042:25;
3053:3,5,7;3057:23;
3060:7,8
systems (1)
2946:4

T

table (30)
2885:21;2886:1;
2898:21;2899:11,12,
16,16,17,20;2900:2,
25;2903:18;2920:7;
2931:20;2945:22;
2946:5,19;2949:15,
25;2950:25;
2951:22;3023:9,15;
3024:6,22;3025:6,7,
14;3072:8,11
tables (7)
2885:24;2886:1;
2894:6,8;2931:17;
3023:7;3025:24
talk (14)
2936:10;2959:15,
20;2961:22;
2967:23;2969:10;
2991:23;2996:3;
3026:2,13,24;
3028:14;3029:8;
3030:12
talked (6)
2963:15;2986:12;
3020:6;3030:14,25;
3034:3
talking (7)
2922:1;3009:15;
3029:9;3032:9;
3045:8,13,16
talks (1)
3029:6
tall (1)
2975:14
tank (4)
2916:18;2917:8;
2930:22;2967:7
target (5)
2950:17;2952:2,
22;2989:13;3013:4
task (1)
2984:12
tasks (1)
2977:5
TAYLOR (19)
2991:17,18;
3022:14,15;3025:2,
3;3029:3,5;3032:4,8;
3033:13;3034:9,11,
13,15;3035:22,23;
3043:13;3048:18
team (9)
2882:13;2927:22,
24;2928:3;2935:17;
3033:17,25;3034:6;
3048:15
technical (2)
2887:25;2992:4
tedious (1)
2923:14
telling (3)
2977:21;2978:2;
2999:12
temp (1)
2985:18
ten (6)
2991:11;2999:20,
21,22;3002:14;
3029:25
term (5)
2894:22;2944:10;
2955:10,12;2984:11
Terminate (1)
2890:1
terminated (1)
2888:24
terminating (1)
2927:19
termination (3)
2889:14;2890:4;
2892:5
terming (1)
3029:6
terminology (1)
3041:19
terms (5)
2941:3;2965:6,16;
3046:1;3050:18
territory (1)
2934:2
test (2)
2982:2;3068:1
testified (10)
2956:22;2975:5,
16;2993:16;
2994:25;3001:8;
3026:21,22;3052:11;
3055:20
testify (10)
2884:12,21;
2886:15;2889:8;
2973:6;2974:1;
2979:11;2980:3,7;
2991:20
testifying (4)
2889:4;2993:13;
3051:6,7
testimony (42)
2887:4;2888:19;
2906:23;2917:14;
2918:9;2921:19;
2945:23;2950:16;
2959:9,10;2963:21;
2975:22;2983:3;
2992:21;2995:5,21;
3001:20;3002:21;
3012:8,12;3014:11;
3017:8;3020:2;
3026:1;3033:6;
3037:17;3041:1;
3049:9,17;3050:1;
3051:11;3052:10,13,
16,21;3053:1;
3055:22;3058:11,12,
15;3059:1,7
Texas (1)
3071:24
Thanks (3)
2987:9;2993:5;
3004:4
theme (1)
2978:9
theory (1)
2949:4
thereabouts (1)
2998:7
Thereafter (8)
2888:13;2891:3;
2892:14;2893:16;
2910:10;2915:15;
3049:22;3050:2
thereby (1)
2925:8
therefore (3)
3013:8;3027:24,
25
thin (1)
3025:15
thinking (2)
2946:19;2965:21
third (7)
2891:14;2927:2;
2966:25;3025:5;
3047:19;3055:1,8
though (13)
2885:22;2898:10;
2909:18;2939:19;
2942:12;2944:14,23;
2945:11;3004:12;
3007:10;3035:3;
3048:6;3051:7
thought (10)
2913:14,23;
2954:25;2960:25;
3003:19;3027:5;
3028:1;3033:12;
3034:4;3039:23
thoughts (3)
2952:25;2971:23;
3039:8
three (21)
2882:15;2889:18;
2897:4,4,5;2910:5,6;
2922:16;2952:24;
2966:8;3000:1,1;
3002:10,11;3026:23;
3049:4,15;3068:10,
18;3071:11;3073:3
three-page (2)
2889:21;2891:13
throughout (3)
2980:19;3008:17;
3058:21
thumb (2)
2997:25;2998:5
Thursday (3)
2886:6,7;3025:22
Thus (3)
3060:3;3063:8;
3067:25
thwart (1)
2953:11
tie (3)
3012:12;3038:16,
17
ties (1)
3050:24
tighten (1)
2967:10
times (11)
2895:17,21;
2897:5,6;2903:11;
2972:13;2985:22;
2995:5;3019:8;
3044:8;3067:8
tiny (1)
2889:19
tired (1)
2965:19
title (2)
2889:10;2895:8
today (29)
2884:12;2886:13;
2894:10;2895:3;
2904:25;2906:7,25;
2908:2;2913:22;
2917:19;2919:10,20;
2937:23;2938:1;
2940:6;2941:19;
2942:13,17,23;
2973:6;2976:4,8;
2980:1;2991:20;
2993:6;2998:10;
3001:10;3020:18;
3052:13
today's (2)
2917:16;2938:13
together (5)

2932:8;2978:8; 2985:24;3018:13; 3038:17
told (2) 2965:21;3039:25
tomorrow (3) 2938:1;3018:15; 3048:23
tongue (1) 3050:23
tonight (1) 3048:25
took (5) 2889:5;2932:7; 2935:21;3023:17; 3026:4
top (8) 2890:13;2923:25; 2924:2,3;2948:3; 2953:16,17;3037:20
topic (3) 2955:13;3046:4; 3053:23
topics (2) 3052:16,21
total (7) 2895:20;2943:1; 2967:1;3049:12; 3060:1,4;3063:23
totally (1) 3032:14
totalogy (1) 3017:12
totals (1) 2950:8
touch (14) 2970:6;3003:18, 19,21;3004:21; 3005:14;3029:22; 3031:11;3033:25; 3040:16;3043:19; 3044:6,11,20
touched (1) 3046:4
toward (2) 2996:17;3011:22
towards (2) 2948:15;3037:21
track (1) 2884:23
trademark (1) 2984:23
traditional (3) 2903:18,24; 2908:14
transactions (1) 3010:1
transcript (4) 2909:16,17; 2910:3;3051:4
transcripts (4) 2885:8,11,13,14
transfer (2) 3029:9;3058:23
transferred (2) 2976:23;3028:16
transfers (1) 3058:25
translated (1) 2957:19
transmit (1) 3033:17
transport (1) 2900:17
transportation (25) 2919:3;2924:12; 2927:4;2933:7,12, 15,18;2934:3,16,17, 22;2943:20,21,23; 2944:7,13,15; 3025:25;3026:2; 3027:18;3030:6; 3042:19,21,24; 3071:1
transported (1) 2934:20
treat (2) 3045:7,9
treating (1) 2909:13
treatment (3) 2916:21;2953:15; 3012:15
treaty (1) 3001:12
Tremaine (1) 2883:2
trends (1) 2978:17
tried (7) 2896:5;2920:4; 2938:17;2945:22; 2946:13,15;3019:7
truck (3) 2994:1,1;2995:18
true (24) 2908:2;2918:20; 2932:16;2933:16; 2942:6;2944:19; 2945:3,7;2954:9; 2964:10;2966:6; 2967:8;2987:15; 2995:6;3009:4; 3011:9,10;3017:6, 11;3020:9;3036:16; 3040:21;3044:22; 3057:19
trust (2) 2899:15;3024:24
truth (2) 2975:10;3050:10
try (9) 2919:17;2921:9; 2934:16;2952:24; 2962:9;2990:15; 3018:2;3026:5; 3040:4
trying (28) 2897:18;2901:4, 23;2903:7;2906:5; 2908:6,20;2909:8,9; 2910:7;2920:4,8; 2923:4;2931:22; 2942:12,13;2987:9; 2997:10;3004:19; 3006:23;3025:6; 3028:3;3030:25; 3031:2;3033:12,13; 3034:3,5
turn (6) 2909:4;2928:14; 2935:21,22;3024:25; 3034:23
turned (3) 2913:24;2914:4; 2915:12
turning (1) 2918:14
twelve (1) 2907:14
twice (2) 2959:5,5
two (40) 2885:9,13;2889:6; 2893:10,19;2895:13; 2899:3;2905:24; 2906:16;2924:5; 2927:18;2940:14; 2946:4;2950:6; 2953:19;2957:25; 2958:4,6;2971:25; 2972:18;2981:15,25; 2999:10;3000:3,6; 3002:10;3005:10,23; 3013:1;3019:9; 3026:22;3038:15; 3039:22;3041:4; 3042:22;3049:7; 3051:17;3056:8; 3063:23;3071:12
two-page (2) 2908:18,23
two-thirds (2) 2922:24;2923:10
type (10) 2937:12;2947:14; 3027:9;3028:5; 3032:1,1,5,7; 3039:22,24
typically (1) 3029:8
typing (1) 3051:4

U

UC (1) 2979:3
U-L-I-N (1) 2883:6
ultimately (1) 2918:23
unadjusted (1) 2900:4
unarguably (1) 3036:16
unaudited (1) 3072:21
unchanged (1) 3057:8
under (44) 2896:12;2905:11, 12;2908:1,1;2913:1, 9,18;2914:18; 2915:1,19;2921:12; 2932:18;2937:7,11, 22;2938:13; 2952:12;2954:7,11; 2970:13,16;2971:8; 2975:9;2992:17; 3002:11;3009:7; 3015:17;3018:12; 3022:8;3031:6; 3034:17;3036:18,18; 3037:1,6,9,9; 3041:22;3043:1; 3046:20;3050:9; 3059:5;3060:11
underlying (2) 2952:22;2953:4
understandings (1) 3051:20
understood (4) 2900:2,7;2999:9,9
undesirable (1) 3018:9
unended (1) 2942:2
unfair (1) 2929:17
unfortunately (1) 2966:5
uniform (16) 2953:15;3019:18, 22;3041:8;3053:3,5, 25;3056:4,6; 3058:20;3059:11; 3060:5,19,23,25; 3073:8
uniformity (2) 3041:9;3068:3
unique (6) 2976:17;2993:13, 14;3014:23; 3016:13;3019:1
uniqueness (4) 2977:2,14;2980:4; 3016:9
unit (2) 2992:22,25
United (5) 2884:10;2976:13; 2980:19;2988:7,24
University (1) 2976:19
unless (2) 3004:1;3049:5
unloaded (1) 3029:11
unloading (1) 2994:1
unmatched (1) 2994:21
unpack (1) 3000:2
unprecedented (2) 2978:8;3016:13
unusual (1) 2973:15
unwarranted (1) 2924:20
unweighed (1) 3074:4
unweighted (3) 3072:21;3073:25; 3074:5
unwielding (1) 3019:12
up (41) 2885:11;2895:17; 2901:16;2903:7; 2906:10;2907:20; 2909:6;2911:19; 2913:22;2930:11; 2932:12;2934:15; 2937:24;2938:15; 2946:15;2963:20; 2965:21;2972:20; 2976:18;2980:14; 2981:5;2983:21; 2986:19;3000:7,10, 12,14;3003:16,17; 3011:25;3014:6; 3016:24;3023:17,18; 3024:14;3035:6; 3039:20;3040:5; 3043:12;3055:8; 3056:1
updated (3) 2885:24;3063:14, 20
upend (1) 2926:5
upon (8) 2895:19;2896:24; 2901:10;2926:6; 2958:11;2962:19; 3008:20;3013:21
Upper (14) 2918:3,4;2947:10; 2948:11;2955:15,17; 2957:15;2968:20,24; 2969:7,14,20; 3071:19,22
USDA (23)

2882:3,8;2889:17, 18;2909:7,12; 2917:4;2929:25; 2956:25;2958:16; 2964:12,16,24; 2965:3;2991:19; 3022:12;3032:10,23; 3034:4,15;3047:24; 3048:9;3057:3
USDA's (3)
2889:25;2920:10; 2992:23
use (25)
2894:22;2925:18; 2926:20;2945:22; 2946:17;2949:14; 2950:19,22;2964:16; 2965:1,4;2984:2; 3006:6;3019:9,24; 3023:14;3025:6,9, 10;3028:24;3031:8; 3039:11;3053:8; 3055:4;3070:24
used (41)
2888:2;2889:4; 2894:9,14,16; 2896:14;2897:17,21; 2899:7;2903:5,11, 14;2906:6;2946:20; 2950:16;2955:10,12; 2958:16;2959:9; 2961:23;2987:17,20, 21,21;3041:19; 3058:6;3059:17,19, 20;3060:13,19,24, 25;3068:4,9,15,24; 3072:14;3073:8,12, 17
useful (1)
2909:18
uses (5)
2894:10;2901:1; 2958:16;3019:6; 3058:20
using (22)
2894:2;2895:11; 2896:11;2897:14; 2898:1,17;2902:4, 12;2903:4,15,18; 2920:10;2939:2; 2947:14;2950:25; 2951:21;2954:2; 2987:3;2988:9; 3007:3;3041:9; 3053:11
usually (1)
2925:17
utilization (3)
2968:4;3019:5; 3052:23
utilizations (2)
2926:19;3023:17
utilized (1)
3067:14
utilizing (1)
3042:25

V

valid (1)
2945:9
Valley (1)
3071:21
value (31)
2894:23;2895:16; 2896:23;2897:20; 2898:8;2918:11,18, 19;2925:18;2941:13, 14;2945:25;2946:13, 24;2947:2,6,12; 2948:1,23;2949:10, 11;2951:5;2956:18, 19,19;2958:1,9; 2983:22;3063:6,7,9
values (10)
2894:24;2896:6; 2899:3;2918:24; 2951:4,13,13,17; 2952:5;3067:12
VANDEN (1)
2996:10
V-A-N-D-E-N (1)
2993:10
VANDENHEUVEL (2)
2993:8,9
variables (1)
3047:11
variation (1)
3071:14
various (3)
2903:11;2947:22; 3052:6
vast (1)
3017:23
ventured (1)
2977:1
verbiage (1)
3007:3
Vermont (2)
2990:24,25
version (2)
2908:14;3048:10
versions (2)
3047:16;3048:3
versus (13)
2896:18;2897:8; 2917:23;2946:1,21; 2949:15;2957:7; 2960:16;2981:23; 2982:15;3040:22; 3045:22,22
vertical (1)
2890:13
vertically (1)
2937:4
VETNE (34)
2883:22,22; 2889:14;2945:18,19; 2950:19,21;2952:4, 7,10;2959:20; 2960:4,5;2961:6,7; 2966:12,14,18,21, 22;2969:11,16; 2987:11,13;3003:16; 3004:21;3009:12,13; 3030:14;3037:19; 3038:22;3039:11; 3040:21;3045:5
V-E-T-N-E (1)
2883:22
Vetne's (1)
3015:20
via (2)
2885:2;2976:23
viable (2)
2925:16;2926:13
Victor (2)
2883:6;2884:2
view (3)
2898:24;2922:2; 3020:18
views (2)
2922:12;2991:20
Visalia (2)
2973:11;2977:8
Vlahos (5)
2979:20;2982:18, 19,23,24
Volume (12)
2919:15;2939:17; 2941:21;2943:14; 2962:15;2966:9; 2967:1;2968:11,21; 2990:8;3010:18,18
volumes (6)
2894:24;2938:11; 2949:17;3009:1; 3031:25;3042:1
voluntarily (2)
2907:19;2980:1
voluntary (1)
3072:20
vote (4)
2889:1;2927:23; 2928:15;3046:17
voted (5)
2889:2;2891:24, 25;2928:14;2930:1
VULIN (2)
2883:5,5

W

Wait (2)
2913:23;3044:2
waiting (2)
2910:17;2978:21
waive (1)
3035:9
walk (1)
3005:22
walking (2)
2931:23;2932:5
wants (4)
2923:17;2944:4; 2969:13;3048:3
Washington (3)
2883:2;3033:14, 18
watch (1)
3036:5
water (2)
2994:8,8
way (62)
2886:20;2889:2,2; 2890:6,22;2897:2; 2901:7;2906:8; 2909:13,14,14,15; 2922:25;2923:9,10; 2926:25;2927:1; 2928:9,11,12; 2930:23;2937:5; 2938:18;2946:3,15, 15;2948:2;2954:9; 2956:15;2958:21; 2959:16,16;2961:19, 19;2965:23;2968:3; 2980:11;2983:21; 2984:7;2992:14; 2993:14;2994:3; 2995:1;3006:22; 3007:6;3010:20,21; 3011:16;3016:17; 3021:25;3027:6; 3028:24;3033:23; 3034:20,25;3035:5; 3038:1;3039:13,16; 3042:23;3047:24; 3051:10
ways (2)
2944:3;3039:22
web (1)
2975:6
webcast (1)
3003:1
website (10)
2885:12,15,24; 2887:19,20;2890:1, 3;2975:6;3048:3,9
Wednesday (2)
2921:5;2975:1
week (13)
2884:23;2885:10, 10,11,12,13,25; 2886:5,8;2920:5; 3015:12,16;3022:19
weekend (1)
2885:24
weekly (1)
3072:21
weeks (1)
2885:9
week-to-week (2)
3030:3;3048:15
weighed (1)
2947:13
weighted (4)
3023:10;3024:1,2; 3072:23
welcome (9)
2884:21;2887:5; 2899:14;2922:9; 3002:24;3003:7; 3047:6;3048:6; 3074:14
Wells (1)
2996:20
weren't (4)
2893:8;2950:9; 2994:16;3022:20
West (2)
3020:12,13
Western (24)
2884:10;2888:19, 20;2889:15;2890:4; 2891:17;2916:16,17; 2917:1,7;2929:5; 2930:2;2940:25; 2965:20,22;3070:9, 18,25;3071:13,17, 20;3072:2,4,25
what's (11)
2911:5;2915:11; 2972:3;2978:2; 2980:6;2997:12; 3008:16;3038:11; 3042:3;3047:25; 3051:9
Whereupon (4)
2920:14;2974:15; 3033:10;3074:17
whey (7)
2883:18;2992:8,8; 3063:5,7,8,9
whole (3)
2923:5;2946:16; 2950:5
William (1)
2883:8
Wisconsin (3)
3009:25;3010:10; 3063:12
wish (1)
3034:2
wishes (1)
2892:9
withdrawing (2)
2996:20,21
within (11)
2886:19;2934:22; 2971:2;2979:1; 2984:10;3001:21; 3010:2;3011:3; 3038:24;3042:11; 3063:4

without (12)
2888:7;2890:10;
2910:1;2924:6;
2928:10;2968:12,14;
3023:2;3033:6;
3040:25;3050:23;
3073:4
WITNESS (30)
2891:1;2892:10;
2904:3,9,9,10,17,21;
2905:1,6,10;
2906:14;2909:9;
2922:8,17;2959:6,
17,20;2960:2;
2965:24;2966:16;
2975:4;3016:9;
3043:16;3047:14;
3050:19;3051:14;
3059:2,7;3073:23
witnesses (4)
2884:23,25;
3015:23;3050:24
witness's (1)
3050:18
women (1)
2971:13
wonder (1)
2908:13
wonderful (2)
2978:9;2994:20
word (17)
2899:3;2911:19,
19;2941:21;2950:16,
22;2987:21,25;
2988:9;3031:5;
3053:15,17;3055:2,
3,11;3067:22;3074:4
words (7)
2888:6,7;2950:19;
2964:3;3017:7;
3036:24;3042:13
work (16)
2882:19,22,24;
2887:23;2894:24;
2928:11,12;2959:17;
2968:1;2974:10;
2976:20,25;2980:11;
3007:6;3032:23;
3048:17
worked (1)
2897:9
working (5)
2976:22;3033:14;
3034:1;3048:16;
3055:22
works (3)
2890:22;2901:8;
2959:15
world (3)
2993:16;2994:21;
3020:8
worldwide (1)
2994:23
worst (1)
2996:6
worthwhile (1)
3047:9
Wright (1)
2883:2
write (6)
2935:14;2970:21;
3021:13;3055:10,15,
20
writing (1)
2930:3
written (6)
2903:23;2935:11;
3007:3,10;3035:5;
3051:9
wrong (1)
3045:5
wrote (2)
3009:16;3021:14
wwwamsusdagov/live (3)
2885:5,7;3003:4
wwwamsusdagov/rules-regulations/MOA/dairy/CA (2)
2885:17,19

Y

year (6)
2907:19,21;
2992:16;2996:5,6;
3002:11
year-and-a-half (1)
2998:16
years (22)
2889:24;2908:10;
2957:10;2962:17;
2964:13,17;2976:23;
2977:5;2978:22;
2983:20;2989:16;
2993:17;2999:14,19,
20,22;3002:1,5,14;
3026:15,19;3039:22
years' (1)
2978:21
Yep (1)
3001:15
yield (2)
2979:21;2982:18
yields (1)
3059:20
York (1)
3072:1
young (8)
2980:23;2997:4,4;
2998:8,14;3000:3,
10,24
younger (2)
2997:22;2999:17

Z

Zero (3)
2902:15,16;
2903:21
ZOLIN (2)
2883:19,19
Z-O-L-I-N (1)
2883:20
zone (5)
2948:5,9;2955:25;
2956:9,10
zones (3)
2948:2,14,19
zoning (2)
2956:24;2957:4

1

1 (67)
2882:16,20;
2892:18,24;2893:21,
24;2894:9,19;
2895:4,8,14;
2898:22,23;2899:2,
6;2901:1,15,24;
2902:6,10;2903:22;
2911:5,24;2913:4;
2920:25;2921:12;
2922:24;2938:19;
2951:18;2952:23;
2953:3,5;2966:8,23;
2982:25;3003:12,22;
3005:6;3008:5,14;
3014:1;3017:10;
3023:10,11,24;
3040:11,24;3041:10,
20,21,22,25;
3042:11,14,24;
3043:14,18,22;
3049:10,14;3052:13;
3053:23;3057:25;
3058:2;3068:11,18;
3071:16
1.32 (1)
3067:8
1:20 (1)
2974:12
1:40 (2)
2974:13,14
1:45 (1)
2975:2
1:46 (1)
2975:2
10 (7)
2894:19;2895:4;
2901:5,17;2949:15,
25;3073:5
10:28 (1)
2920:13
10:45 (1)
2920:13
10:46 (1)
2920:15
100 (1)
2902:17
1000 (1)
3046:20
1000.15 (2)
3057:6;3058:19
1000.16 (3)
3057:7,7;3058:19
1000.40 (1)
3058:19
1000.42 (1)
3058:25
1000.43 (1)
3059:4
1000.50 (3)
3059:13,16,21
1000.9c (6)
2914:12,20;
2916:8;3005:25;
3038:10,14
1009 (1)
3038:7
1009c (1)
3038:3
1051.13 (1)
2914:6
1051.13f (1)
3031:25
1051.30c (1)
3006:2
1051.40 (1)
3052:24
1051.42 (3)
3052:24;3058:22,
24
1051.43 (2)
3052:25;3059:4
1051.44 (1)
3052:25
1051.50 (2)
3052:25;3059:11
1051.51 (1)
3052:25
1051.52 (1)
3052:25
1051.53 (2)
3053:1;3055:21
1051.54 (2)
3053:1;3055:21
1051.7c (1)
2893:22
11 (1)
2889:24
1124.12 (1)
2911:6
1124.13 (1)
2908:20
1131.12 (1)
2911:14
115 (7)
2969:6,19;
3031:24;3035:9,13,
14,16
12 (9)
2901:17;2984:11;
2998:22;3025:8,12;
3029:1;3072:13;
3074:3,11
124 (4)
2908:22;2910:22;
3068:11,18
125 (1)
3071:4
129.4 (1)
3059:24
13 (9)
2921:6;2984:11;
2998:22;3005:9;
3026:12;3031:23;
3034:20;3037:21;
3040:13
13.03 (1)
2897:6
13.50 (1)
2899:12
131 (3)
2908:22,23;
3017:21
135 (5)
2888:20;2892:5,6;
2927:20;2969:21
13b (1)
3038:19
13d (2)
3003:23;3037:10
13d1 (1)
3043:15
14 (1)
2975:1
14.32 (1)
2897:8
14.33 (1)
2897:8
1400 (1)
2981:13
15 (2)
2891:15;2983:20
15.08 (3)
2903:14,16,19
15.51 (2)
2903:19,25
150,000 (1)
3009:8
15-0071 (1)
2886:18
15-minute (1)
2920:2
15th (1)
2892:4
17 (4)
2906:25;2907:1,6;
2911:21
17.88 (1)
2897:5
17015 (1)
3052:2
18 (8)
2902:10;2906:24;
2907:1,1,10;

2911:21;2998:10; 3071:25
18.45 (3)
2899:1,5,10
190,000 (2)
2979:1,1
1974 (1)
3056:4
1981 (1)
3052:10
1985 (2)
2957:11;2961:19
1989 (1)
2976:24
1990 (2)
2993:19;3052:11
1991 (1)
3070:14
1992 (3)
2977:1;3068:10; 3070:14
1993 (5)
3068:11,13,17,23; 3072:18
1998 (1)
2977:7
1999 (5)
3071:9,14;3072:1, 7,10
1a (1)
3046:13
1b (1)
3046:15
1-Proposed (1)
2893:22
1's (1)
2915:14
1st (3)
2907:19,22; 3057:15

2

2 (40)
2883:4;2891:23; 2893:21,25;2898:16, 16;2900:15,25; 2901:1;2902:6; 2913:5,9;2922:2,6, 15,19,25;2923:11; 2954:10;3004:14; 3005:10,18;3007:11; 3023:24;3024:1,2, 13,16,25;3025:9,10, 11;3035:14; 3039:17;3041:10; 3055:15,19;3058:4, 7;3071:16
2.25 (1)
3057:19
2.4 (1)
3070:15
20 (10)
2896:2;2964:13, 17;2980:23;3029:3; 3037:16,20,21; 3068:11,13
20,000 (1)
2980:24
200.6 (1)
3060:2
2000 (5)
2957:8;3024:23; 3025:17;3073:10,14
2003 (2)
2891:17;2927:19
2004 (9)
2889:5,7;2891:15, 22;2892:4;2919:13; 2927:19;2977:12; 3056:10
2005 (3)
2957:7;3057:3,16
2006 (2)
2920:25;2921:6
2009 (5)
2996:3,17;2997:1; 2999:4,5
2010 (6)
2936:7;2977:14; 2983:21;2996:18; 2998:22;3000:11
2011 (4)
2984:11;2996:18; 2999:4;3057:15
2012 (1)
2999:5
2014 (1)
3059:23
2015 (14)
2894:8,15; 2898:19;2899:22,23; 2900:22;2902:16; 2950:2;2975:1; 2979:3;2982:6; 2986:13;3025:18; 3026:4
2015-CSO (1)
2893:23
2015-Imputed (1)
2893:25
20-page (2)
2920:8;2921:10
21 (1)
3071:9
23 (6)
2998:5,10; 3031:23;3032:4; 3035:20;3071:14
24 (4)
2935:22;2998:5, 10;3032:9
25 (11)
2889:23;2890:7, 14,18;2917:15,24; 2918:9;2993:18; 2999:14,21;3002:5
26 (3)
2935:24;2936:1; 3068:19
26.6 (2)
2896:18;2897:5
26th (1)
2886:10
27 (1)
2936:9
28 (1)
2918:22
29 (2)
3058:11,12

3

3 (34)
2891:23;2899:1; 2901:16;2923:19,25; 2924:2,3,4,6;2936:5; 2938:2;2941:2,22; 2942:19;3007:3,12; 3008:5,8,10,13,21; 3009:6;3023:24; 3024:2,3,13;3025:5, 11;3039:17; 3041:10;3055:6,7; 3056:2;3058:4
3:40 (2)
3033:9,9
3:43 (1)
3033:11
30 (9)
2907:13;2908:11; 2944:3;2957:10; 3034:23;3067:7,11; 3072:8,11
30a1 (1)
3034:22
30c (1)
3006:8
30c1 (1)
3034:24
31 (3)
2891:17;3071:8,8
315,000 (1)
2992:17
33 (1)
3071:5
36 (1)
3049:12
39 (1)
3056:5

4

4 (12)
2908:21;2950:16, 24;2951:8;2952:20; 3024:3,13;3059:17; 3068:11,18;3070:16; 3071:16
40 (4)
2976:18;2997:23; 2998:1,6
405 (1)
3052:2
40-pound (1)
3067:8
42.3 (1)
3060:2
45 (2)
2997:23;2998:1
47213 (5)
2914:6;3005:8,10; 3043:14,14
4a (15)
2894:14,19; 2895:4,10,25; 2896:2;2897:12,20; 2899:11;2902:1; 2905:11;3010:14; 3023:24;3041:10; 3058:9
4B (4)
2950:25;3023:24; 3041:10;3058:9
4B5 (1)
2907:10

5

5 (8)
2882:6;2908:21; 2910:18,19;2943:18; 2963:14,15;3014:13
5,000 (1)
2992:25
5:01 (1)
3074:16
50 (30)
2896:14;2898:7; 2982:7;2985:10; 2986:19;2987:6; 2988:23;2992:24; 3004:15,15;3005:23, 25;3006:4,10,11,14, 16,16,17,18,24,24; 3007:7,8;3010:15; 3026:25;3027:3; 3028:3;3040:17; 3063:22
500 (1)
2992:24
51554152 (1)
2921:2
52/48 (1)
2899:5
54,000 (1)
2942:25
54/46 (1)
2899:3
54152 (2)
2919:15;2921:5
54153 (1)
2921:12
54154 (2)
2921:14,16
54155 (2)
2921:17,21
54156 (1)
2921:23
54157 (10)
2921:25;2922:14, 15,19;2923:6,8,18, 21,25;2924:4
54158 (1)
2922:10
54159 (4)
2922:6,22,24; 2923:10
54170 (2)
2919:16;2921:5
58 (2)
3068:23;3070:8
58112 (1)
3068:23
58114 (1)
3068:23
58115 (1)
3068:23
58124 (2)
3070:8;3071:4
5A (2)
3023:9,18
5A6 (1)
2898:22
5B (4)
2945:22;2946:5, 19;3023:18
5C (1)
3023:15
5E (1)
3024:6
5E8 (6)
2899:12,16,17,20; 2903:18;2931:20

6

6 (6)
2930:1;2963:14, 15;3026:1;3049:11, 19
6.2 (1)
3070:16
6.5 (1)
3057:18
60 (4)
2896:14;2898:7; 3070:17;3072:25
62 (1)
3058:15
63 (13)
2906:24;2935:13; 2936:1;2950:18,20; 2952:11;3012:1; 3014:14;3025:1,2;

3029:3;3037:16;
3039:7
64 (12)
2894:3,16;
2898:21;2899:11,16,
17;2903:18;
2931:16;2945:22;
3023:7;3039:7,9
65 (6)
2887:17;2888:5,
10,11,13;3060:3
66 (16)
2890:25;2891:2,3;
2892:8,12,12,14;
2904:2,7;2927:17;
2929:4;2966:8,10,
14,17,23
67 (15)
2893:12,15,16;
2904:6;2905:24;
2906:15;2910:4,4;
2913:6,7,8,18,20;
2914:5;2915:12
68 (6)
2910:6,7,10,19;
2911:5,21
69 (3)
2919:25,25;
2920:19
6A (2)
3049:15;3059:17
6B (1)
3049:15
6C (1)
3049:15

7

7 (8)
2908:19;2911:6,
14;2963:14,15;
3034:18;3059:13,15
70 (12)
3028:14;3049:19,
21,22;3050:1,1,5;
3051:21;3055:1,6,
19;3074:3
71 (7)
2919:15;2921:2,2;
3049:24;3050:1,2,5
73 (1)
2897:6
73.4 (1)
2897:6
75 (3)
2978:19;2995:22;
3001:20
7a (29)
2954:22;2955:1,2;
2969:23;2970:5,8,
13;3003:20;
3004:16;3005:2;
3006:5,14;3010:15,
19;3030:9,16;
3031:2,3,13,17;
3036:17,19;3037:6;
3040:16;3042:10,11;
3044:6,17,21
7b (13)
2955:1;2969:24;
2970:5,8,14;3005:2;
3031:2,2,13;
3040:16;3044:6,17,
21
7c (3)
2954:15;2955:6,6
7c1 (3)
2892:18;2917:8;
2954:15
7d (1)
3035:4

8

8 (1)
2952:11
8.69 (1)
3025:11
8:00 (1)
3074:15
80 (9)
2895:16,17,19,21;
2896:8;2898:7;
2902:7;2978:19;
2995:22
82 (1)
3060:4
89 (1)
3024:18

9

9 (2)
3026:2;3057:9
9.4 (1)
2979:3
9:00 (1)
3074:15
90 (4)
2894:18;2895:4;
2901:5,17
90/10 (2)
2895:19;2906:5
93 (1)
2977:1
95 (1)
2943:17
9b (1)
2914:21
9c (5)
2914:15;2916:3;
3034:24;3038:15,19