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FILED  
NOV - 9 11:10:30  
KANSAS DISTRICT COURT  
CLEVELAND COUNTY  
KJ

- and -

HALL, ESTILL, HARDWICK, GABLE,  
GOLDEN & NELSON, P.C.  
320 South Boston Avenue, Suite 400  
Tulsa, Oklahoma 74103-3708  
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IN THE TWENTY-SIXTH JUDICIAL DISTRICT  
DISTRICT COURT, STEVENS COUNTY, KANSAS  
CIVIL DEPARTMENT

OPAL LITTELL and CHERRY RIDER, )  
co-trustee of the Opal Littell Family Trust, )  
and BONNIE BEELMAN, individually )  
and as representative plaintiffs on behalf )  
of persons or concerns similarly situated, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
OXY USA INC., )  
 )  
Defendant. )

Case No. 98-CV-51

JOINT STIPULATION WITH RESPECT TO  
CLASS CERTIFICATION HEARING

Defendant OXY USA Inc. ("OXY") and Plaintiffs Opal Littell and Cherry Rider, co-trustees of the Opal Littell Family Trust, and Bonnie Beelman (collectively, "Plaintiffs"), respectfully submit this Joint Stipulation with Respect to Class Certification Hearing for purposes of the November 9, 2000 class hearing (the "Hearing"). Specifically, the parties jointly stipulate, for purposes of the

Hearing, to the following:

1. The parties waive any objections, including any objections based on Kan. Civ. Proc. Code §§ 60-456, 60-457 and 60-458 (West 2000), to the use of the expert reports and expert affidavits (including any attached exhibits) now on file with the Court in this matter for purposes of the Hearing. The parties reserve any objections to these reports and affidavits for all purposes other than the Hearing. The reports and affidavits now on file with the Court in this matter and with respect to which this paragraph applies include the following:

- A. The Affidavit of Charles E. Graham, III
- B. The Affidavit of Richard L. Hanson
- C. The Affidavit of B. J. White
- D. The Affidavit of Douglas L. Burton

2. The parties stipulate that the following depositions of witnesses offered in this matter are admissible at the Hearing in the same manner and to the same extent that such testimony would be admissible were the witness to appear and testify in person:


- A. The deposition of Richard L. Hanson held on August 9, 2000, Gilbert H. Coulter and Elizabeth S. Leighnor, Case No. 98-CV-40, Stevens County, Kansas
- B. The deposition of Billy Joe White held on August 10, 2000, Gilbert H. Coulter and Elizabeth S. Leighnor, Case No. 98-CV-40, Stevens County, Kansas

- C. The deposition of Charles E. Graham, III held on August 11, 2000, Gilbert H. Coulter and Elizabeth S. Leighnor, Case No. 98-CV-40, Stevens County, Kansas
- D. Deposition of David Bushnell held on June 14, 2000, Opal Littell and Cherry Rider, co-trustee of the Opal Littell Family Trust, and Bonnie Beelman v. OXY USA, INC., Case No. 98-CV-51, Stevens County, Kansas
- E. Deposition of Kevin P. Moore held on June 14, 2000, Opal Littell and Cherry Rider, co-trustee of the Opal Littell Family Trust, and Bonnie Beelman v. OXY USA, INC.,

3. The parties reserve the right to argue that any of the identified affidavits or depositions are irrelevant or immaterial.

Respectfully submitted,

**HALL, ESTILL, HARDWICK, GABLE,  
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