

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**STATE OF OKLAHOMA *ex rel.*
GENTNER DRUMMOND, in his capacity
as Attorney General of the State of
Oklahoma and OKLAHOMA
SECRETARY OF ENERGY AND
ENVIRONMENT JEFF STARLING
in his capacity as the TRUSTEE FOR
NATURAL RESOURCES FOR THE
STATE OF OKLAHOMA,**

Plaintiffs,

v.

**TYSON FOODS, INC.,
TYSON POULTRY, INC.,
TYSON CHICKEN, INC.,
COBB-VANTRESS, INC.,
CAL-MAINE FOODS, INC.,
CARGILL, INC.,
CARGILL TURKEY PRODUCTION,
LLC,
GEORGE'S, INC.,
GEORGE'S FARMS, INC.,
PETERSON FARMS, INC., and
SIMMONS FOODS, INC.,**

Defendants.

Case No. 05-cv-329-GKF-SH

MOTION TO SET STATUS CONFERENCE

J. Kevin Stitt, Governor of the State of Oklahoma, the Chief Magistrate with supreme executive power (“Governor Stitt”), respectfully requests that the Court set this matter for a status conference. In support, Governor Stitt states as follows:

1. Concurrent with this Motion for Status Conference, Governor Stitt has filed an Entry of Appearance by and through the undersigned counsel of HALL, ESTILL, HARDWICK, GABLE, GOLDEN & NELSON, P.C.

2. Governor Stitt has monitored the proceedings in this action.

3. On July 9, 2025, Plaintiff, the State of Oklahoma *ex rel.* Gentner Drummond, in his capacity as Attorney General for the State of Oklahoma (the “Attorney General”), filed The State of Oklahoma’s Brief in Support of its Proposed Final Judgment. [ECF Doc. No. 3163].

4. On July 30, 2025, Defendants filed a Brief in Opposition to the State’s Proposed Final Judgment. [ECF Doc. No. 3164].

5. Governor Stitt does not support either competing final judgment. As the leader of the Executive Branch with superior constitutional power, the Governor has “authority which gives him the right to represent the State. . . .” *Cherokee Nation v. United States Dep’t of the Interior*, 2025 OK 4, ¶ 36, 564 P.3d 58, 70.

6. The proposed competing final judgments filed by the Attorney General and Defendants, as well as failed settlement efforts, establish that the Parties have reached an impasse regarding resolution of this matter. Nonetheless, the Governor believes this matter can and should be settled, and that a settlement can be reached on terms beneficial to the parties and the people of the State of Oklahoma.

7. Governor Stitt respectfully requests a status conference at which the Court might consider directing the Parties to renew their settlement efforts. Specifically, Governor Stitt would request at the status conference that an expedited settlement conference be scheduled. Governor Stitt is confident that, with his participation, renewed settlement discussions may prove fruitful in achieving a reasonable conclusion to this long-running litigation.

8. The prospect of a shared solution could provide meaningful assistance to the Court, the people of the State of Oklahoma, the environment, and the involved industries.

9. In accordance with LCvR7-1(c), counsel for Governor Stitt has conferred with

counsel for the Defendants and Andrew Lester as counsel for Secretary Starling. Defendants do not oppose the relief sought herein. Jeff Starling, Oklahoma Secretary of Energy and Environment, in his capacity as Trustee for Natural Resources for the State of Oklahoma, does not oppose the relief sought herein. The undersigned attempted to reach counsel for the Attorney General, but received no response in time for this filing.

10. A proposed order is submitted herewith in accordance with LCvR7-1(c).

CONCLUSION

For the reasons set forth above, Governor Stitt respectfully requests that the Court set a status conference in this matter.

Dated: October 17, 2025

Respectfully submitted,

s/William W. O'Connor

William W. O'Connor, OBA No. 13200
John T. Richer, OBA No. 19544
Hillary N. Hurst, OBA No. 36158
**HALL, ESTILL, HARDWICK, GABLE,
GOLDEN & NELSON, P.C.**
521 East 2nd Street, Suite 1200
Tulsa, Oklahoma 74120-1855
Telephone: (918) 594-0400
Facsimile: (918) 594-0505
boconnor@hallestill.com
jricher@hallestill.com
hhurst@hallestill.com

**ATTORNEYS FOR J. KEVIN STITT,
GOVERNOR OF THE STATE OF
OKLAHOMA**

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of October, 2025, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF Registrants.

s/William W. O'Connor

William W. O'Connor