

Kim D. Cannon (#5-1401)
J. Mark Stewart (#6-4121)
Davis & Cannon, LLP
40 South Main Street
P.O. Box 728
Sheridan, Wyoming 82801
Phone: 307/672-7491
Facsimile: 307/672-8955
cannon@davisandcannon.com
mark@davisandcannonchey.com

FILED
OCT 0 4 2010
Jim Ruby, Executive Secretary
Environmental Quality Council

Attorneys for Defendant
Croell Redi-Mix, LLC

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

In the Matter of the Appeal)
and Petition for Hearing of:)
Croell Redi-Mix, DEQ AQD Permit) Docket No. 10-2803
Application No. AP-9645)
and DEQ AQD Permit No. MD-9645)
dated March 17, 2010)

CROELL REDI-MIX, INC.'S DESIGNATION OF EXPERT WITNESS

Croell Redi-Mix, Inc., pursuant to the *Amended Order* issued in this matter on August 11, 2010, hereby submits the following expert who may testify at the final hearing in this action:

Robert Glock, DVM, PhD
Department of Veterinary Science and Microbiology
University of Arizona
Tucson, Arizona 85721
(520) 621-2356, Ext. 13 (telephone)
(520) 626-8696 (facsimile)
rglock@ag.arizona.edu

Specifically, Dr. Robert Glock may be called to testify regarding the following:

Dr. Robert Glock may be called to provide rebuttal testimony on any relevant issues raised by Petitioner's expert. At this time, Petitioner has not submitted a proper expert witness designation. *See Def.'s Mot. To Strike Expert Designation and Testimony.* Consequently, Dr. Glock has not yet been asked to prepare any opinions in this matter.

Dr. Glock may be asked to discuss the current state of scientific research and knowledge on the topic of "dust pneumonia," the current state of scientific research and knowledge on the levels of dust concentration necessary to pose health risks to pastured livestock, and whether the current state of research and knowledge on these topics would allow any expert to conclude with a reasonable degree of scientific probability whether Respondent's operations will present any significant health risks to Petitioner's livestock. Finally, Dr. Glock may be asked to identify what conclusions, if any, can be drawn from the current state of research and knowledge on these topics which are pertinent to this matter.

Dr. Glock's Curriculum Vitae is attached hereto as Exhibit A. It outlines his education, training, experience, licensure, professional papers and presentations, professional affiliations, and professional services.

In the preceding four years, Dr. Glock recalls testifying as an expert at trial in two cases. He recalls offering no deposition testimony during that time. The two instances of trial testimony include: testimony for the Pima County Attorney on October 28, 2008 and testimony for the Maricopa County Attorney on October 11, 2008. Both appearances resulted from his work as a veterinary pathologist in the Arizona Veterinary Diagnostic Laboratory at the

University of Arizona which contacts with municipalities to conduct necropsy examinations on animals referred to them, usually as a result of suspected animal abuse.

Dr. Glock's fee for trial preparation and testimony is \$1,500 per day prorated for partial days based on 8 hours per day.

Respondent reserves the right to supplement this designation as additional information becomes available in this case. Respondent further reserves the right to name, identify or call additional experts as may be permitted.

DATED this 4th day of October, 2010.

DAVIS & CANNON, LLP

By: 

Kim D. Cannon (#5-1401)

J. Mark Stewart (#6-4121)

Attorney for Respondent Croell Redi-Mix, Inc.

40 South Main Street

P.O. Box 728

Sheridan, WY 82801

(307) 672-7491

(307) 672-8911 (fax)

cannon@davisandcannon.com

mark@davisandcannonchey.com

CERTIFICATE OF SERVICE

I, Kim D. Cannon, attorney for Croell Redi-Mix, Inc. in the above-entitled and numbered cause, do hereby certify that on the 4th day of October, 2010, I caused a true and correct copy of Croell Redi-Mix, Inc.'s Designation of Expert Witness to be served as follows:

F. David Searle, Presiding Officer	<input checked="" type="checkbox"/>	U.S. Mail
Environmental Quality Council	<input type="checkbox"/>	Federal Express
Herschler Building	<input type="checkbox"/>	Facsimile
122 West 25th Street	<input type="checkbox"/>	Hand-Delivered
Cheyenne, Wyoming 82002	<input type="checkbox"/>	Electronic Transmission
Nancy Vehr	<input checked="" type="checkbox"/>	U.S. Mail
Sr. Asst. Attorney General	<input type="checkbox"/>	Federal Express
Wyoming Attorney General's office	<input type="checkbox"/>	Facsimile
123 Capitol Building	<input type="checkbox"/>	Hand-Delivered
Cheyenne, Wyoming 82002	<input type="checkbox"/>	Electronic Transmission
Amanda Kroul	<input checked="" type="checkbox"/>	U.S. Mail
Office of Attorney General	<input type="checkbox"/>	Federal Express
Wyoming Attorney General's office	<input type="checkbox"/>	Facsimile
123 Capitol Building	<input type="checkbox"/>	Hand-Delivered
Cheyenne, Wyoming 82002	<input type="checkbox"/>	Electronic Transmission
John Corra	<input checked="" type="checkbox"/>	U.S. Mail
Director, DEQ	<input type="checkbox"/>	Federal Express
Herschler Building	<input type="checkbox"/>	Facsimile
122 West 25th Street, Room 1714	<input type="checkbox"/>	Hand-Delivered
Cheyenne, Wyoming 82002	<input type="checkbox"/>	Electronic Transmission
Steve Dietrich	<input checked="" type="checkbox"/>	U.S. Mail
DEQ, Air Quality Administrator	<input type="checkbox"/>	Federal Express
Herschler Building	<input type="checkbox"/>	Facsimile
122 West 25th Street, Room 1714	<input type="checkbox"/>	Hand-Delivered
Cheyenne, Wyoming 82002	<input type="checkbox"/>	Electronic Transmission
Gina Johnson	<input checked="" type="checkbox"/>	U.S. Mail
DEQ, Air Quality Division	<input type="checkbox"/>	Federal Express
Herschler Building	<input type="checkbox"/>	Facsimile
122 West 25th Street, Room 1714	<input type="checkbox"/>	Hand-Delivered
Cheyenne, Wyoming 82002	<input type="checkbox"/>	Electronic Transmission

Jim Ruby
Environmental Quality Counsel
Executive Secretary
Herschler Building
122 West 25th Street, Room 1714
Cheyenne, Wyoming 82002


U.S. Mail
 Federal Express
 Facsimile
 Hand-Delivered
 Electronic Transmission

Kim Waring
Sr. Off. Support Specialist
Environmental Quality Council
Herschler Building
122 West 25th Street, Room 1714
Cheyenne, Wyoming 82002

U.S. Mail
 Federal Express
 Facsimile
 Hand-Delivered
 Electronic Transmission

Judith Bush
P.O. Box 861
Sundance, Wyoming 82729

U.S. Mail
 Federal Express
 Facsimile
 Hand-Delivered
 Electronic Transmission



J. Mark Stewart

CURRICULUM VITAE

Robert D. Glock, D.V.M., Ph.D.

EDUCATION:

David City High School, David City, NE		
University of Nebraska	1954-1957	Pre-Vet
Iowa State University	1957-1961	DVM
Iowa State University	1967-1971	PhD

TEACHING, RESEARCH AND RELATED APPOINTMENTS:

Drs. Nelson and Ahrens, Jewell, Iowa	1958-1961	Practice Employee
Fort Detrick, Maryland, U. S. Army	1961-1963	Virologist
Edgerton, Wisconsin	1963-1967	General Practice
Iowa State University	1967-1970	Dept. of Pathology
N. I. H. Fellow		
Iowa State University, Assistant Professor	1970-1972	Dept. of Pathology
Iowa State University, Associate Professor	1972-1976	Dept. of Pathology
Iowa State University, Professor	1976-1981	Dept. of Pathology
Central AZ Veterinary, Casa Grande, AZ	1981-1987	Veterinary Laboratory Lab/Director/Practice
CO State University, Professor	1987-1994	Diagnostic Laboratory Director
CO State University, Professor	1994-1998	Veterinary Clinical Sciences/Food Animal Section
University of Arizona, Res Scientist	1998-2003	Diagnostic Laboratory Director
University of Arizona, Res Scientist	2003-Present	Diagnostic Pathologist

SIGNIFICANT EXTRAMURAL COMMITTEES, AWARDS, ETC: (ABBREVIATED)

Past and Present:

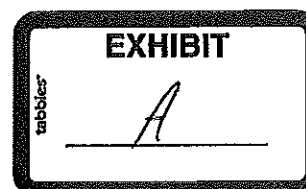
Salmonellosis Committee, United States Animal Health Association, 1980-Present
Foreign Animal Disease Committee - AASV
Arizona Cattlemen's Association BQA Committee

Intramural Committees:

CALS Committee on Promotion and Continuing
Veterinary Science and Microbiology Promotion and Tenure committee

Professional Societies and Activities:

Diplomate, American College of Veterinary Pathologists (1974)
Alpha Zeta
Phi Zeta
Sigma Xi
American Association of Bovine Practitioners
Academy of Veterinary Consultants
American Veterinary Medical Association
American Association of Swine Veterinarians (President 1976-1977)
Comparative Gastroenterology Society (past)
American Association of Veterinary Laboratory Diagnosticians
Arizona Veterinary Medical Association
Arizona Cattlemen's Association



USDA/CSRS Grants Review Panel
Reviewer--JAVMA, AJVR, Vet Path, AAVLD Journal

HONORS AND HONORARY SOCIETIES:

University of Nebraska Regents Scholar
University of Nebraska Honors list
Iowa State University Borden Award
Phi Kappa Phi
Gamma Sigma Delta
American Association of Swine Veterinarians--Howard Dunne Memorial Award (1995)
Stange Award for Meritorious Service-College of Veterinary Medicine, Iowa State University (2003)
AAVLD Life Membership (2005)

TEACHING EXPERIENCE AT IOWA STATE UNIVERSITY UP TO 1981:

1. Vet. Path. 423 Special Pathology
2. Vet. Path. 605 Research and Topics Seminar
3. Vet. Path. 604 Histopathology Seminar
4. Vet. Path. 590 Special Topics in Swine Diseases
5. Vet. Path. 371 General Pathology
6. Vet. Path. 455A Necropsy Laboratory
7. Served as major professor of three M.S. and four Ph.D. programs

TEACHING AT COLORADO STATE UNIVERSITY:

1. Swine Elective, Coordinator--VM796J
2. Lectures in Food Animal Medicine Courses--VM648, VM745, VM757, VM759, V5702
3. Lectures in Animal Science Courses--AN346, AN300, AN286
4. Graduate Committees

PUBLICATIONS: (ABBREVIATED)

87. Schoenbaum, M. A.; Hall, S. M.; Glock, R. D.; et al. An Outbreak of Equine Type C Botulism in Arizona, USA. 12 Horses and a Mule. JAVMA 217: 365-368, 2000
88. Songer, J. G.; Post, K.W.; Glock, R. D. et al: Enteric Infection of Neonatal Swine with *Clostridium difficile*. Swine Health Prod 8:185-189, 2000
89. Bradley, G. A.; Orr, K.; Reggiardo, C.; Glock, R. D.: Enterotoxigenic *Escherichia coli* in Captive Black-Footed ferrets. Journal Wildlife Disease; 37: 617-620, 2001
91. Glock, R. D.: Feedlot Diagnostics and Common Sense. The AABP Proceedings 35: 58-60, 2002
90. Glock, R. D.; Panciera, R.; Scruggs, D. et al: Practical Necropsy Guide. Elanco Animal Health, 2002.
91. Glock, R. D.: Feedlot Diagnostics and Common Sense. The AABP Proceedings 35: 58-60, 2002.
92. Glock, R.D.; Songer, J.G.: *Clostridium difficile* Associated Disease in Neonatal Swine. International Pig Veterinary society Proc. Hamburg, 2004
93. Glock, R. D.: Pathology of Infectious Diseases. Proc. Ensminger International School on Swine Diseases. Hangzhou, China October 13, 2005
94. Hammitt, M.C.; et al. Possible Involvement of *Clostridium difficile* in Calf Enteritis. Vet Microbiol 2007
95. Songer, J.G.; Trinh, H.T.; Dial, S.D.; Brazier J.S.; Glock, R.D.: Equine colitis X associated with infection by *Clostridium difficile* NAP1/027. J Vet Diagnostic Invest 21:377-380 (2009)
96. Shender LA; Glock RD; Spraker TR:Salmonellosis in a Free-ranging Population of Javelinas (*Pecari tajacu*) in South Central Arizona. Journal Wildlife Diseases, 45:13-16 (2009)