

Post Hearing Brief - Testimony of Barry Murphy
on behalf of
BESTWHEY, LLC (Independent Whey Consultant)
at the
Consolidated Stabilization and Marketing Plan and Pooling Plan Hearing
Sacramento, California
October 10, 2007

Ms. Hearing Officer and Members of the Hearing Panel:

My qualifications as an expert witness are as follows:

Education:

B.S. Dairy and Food Science: University College Cork, Ireland. 1984

M.S. Dairy Protein Chemistry: University College Cork, Ireland, 1986. Prof. Pat Fox.
Research project – combinations of whey and casein protein from milk.

M.B.A.: San Francisco State University. 1994

Work Experience:

1990-1994: Sorrento Cheese Co. San Jose, CA. Technical and Quality Systems Manager.
Worked extensively with a whey powder plant.

1994-1999: California Gold Dairy Products, Petaluma, CA (Cal Co-op). Director
Technical Services and Quality. Developed two (2) Whey Protein Concentrate (WPC-34)
plants. Managed economic models, investment and contractual agreements for WPC
manufacturing and sales. One plant was built in Petaluma and another in Turlock, CA.
Set up a subsidiary of California Gold Dairy Products called Goldtech, Inc. to evaluate
whey markets, develop whey processing technologies and to recommend whey
investment strategies to the Board of Directors.

1999-2003: Evolutionary Ingredient Group, Novato, CA. This company was set up by a
group of senior management members from California Gold after its merger with DFA,
to take its knowledge of the whey industry to private companies and co-ops across the
United States. The company offered full-line services for the whey industry including
finance and economic models, finished whey technologies and whey products' marketing
capabilities. The company also offered construction oversight and project management.
Evolutionary designed and built two major Whey Derived Products plants, one in
Wisconsin and one in Illinois.

2003-Present: BESTWHEY, LLC. This company was set up as a consulting firm to assist
companies with under-utilized whey streams. Managed all aspects of a multi-thousand
ton WPC plant in CA. Managed all aspects of a whey powder plant in CA, now closed.
Continue to assist several companies in CA with whey options and strategic plans. These
companies range from 600,000 lbs/day whey to several million lbs/day. Presently
working on two major "potential" green-field whey plants in CA.

Personal References:

Prof. Pat Fox, Dept. Dairy Chemistry, University College, Cork, Ireland.

Mr. Joe O'Donnell, Director, California Dairy Research Foundation, Davis, CA.

Prof. Phil Tong, Dept. Dairy Technology, Cal Poly, San Luis Obispo, CA.

Prof. Raphael Jimenez, Dept. Dairy Technology, Cal Poly, San Luis Obispo, CA.

Mr. David Freidheim, California Milk Advisory Board, South San Francisco, CA

Past and Present Affiliations:

Member Institute of Food Technologists (IFT)

Past Member California Dairy Research Foundation

United States Dairy Export Council