

TYSON SAYS IT DIDN'T SMUGGLE ALIENS

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Body

CHATTANOOGA, TENN. -- **Tyson** Foods Inc. and six former managers pleaded not guilty Thursday to federal charges of conspiring to **smuggle** illegal immigrants to work at the company's poultry plants.

A federal magistrate told them to get ready for a February 2003 trial.

Tyson attorney Mark Hobson **said** a trial would not support prosecutors' contentions of a company conspiracy, but instead would show immigrant **smuggling** by government undercover agents.

"The case stems from a three-year undercover sting operation that, we believe, resulted in the employment of approximately 50 undocumented workers delivered by government agents to fewer than five **Tyson** facilities," the Arkansas-based company **said** in a statement.

The executives, accompanied by their attorneys, arrived separately at the U.S. marshal's office where they were fingerprinted and photographed.

"People who know me know there are two sides to the story. We need our day in court," Spencer Mabe, 50, of Gainesville, Ga., a former manager at a **Tyson** plant in Shelbyville, **said** in a courthouse hallway after the two-hour hearing.

Arkansas-based **Tyson**, one of the world's largest poultry, beef and pork processors, has 120,000 employees and sales of \$25 billion last year.

A Dec. 11 indictment accused **Tyson** and the other defendants of conspiring to **smuggle** illegal laborers. The indictment implicated 15 plants in Tennessee, Alabama, Indiana, Kentucky, Mississippi, Missouri, North Carolina, Texas and Virginia.

Assistant U.S. Attorney John P. MacCoon, the chief prosecutor, acknowledged the 2 1/2-year investigation involves work by undercover agents, and he told U.S. Magistrate William Carter a trial will likely take about two months.

MacCoon **said** government evidence includes 422 undercover audiotapes, 36 videotapes and 360,000 pages of documents subpoenaed from **Tyson**.

Robert Hash, vice president of the company's division for retail fresh meat, and Gerald Lankford, a former human resources manager of the retail fresh division, are charged, as are four former managers at the Shelbyville plant. Each defendant was released on \$100,000 bond.

The company aided the immigrants by obtaining false documents so they could work at **Tyson** plants "under the false pretense of being legally employable," according to the indictment.

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Prosecutors also said the managers hoped the cheap labor would help Tyson cut costs and meet production goals.

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