

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ROXANA LANDFILL, INC.

Petitioner,

vs.

No. PCB 14- 65

VILLAGE BOARD OF THE VILLAGE OF
CASEYVILLE, ILLINOIS;
VILLAGE OF CASEVILLE, ILLINOIS; and
CASEYVILLE TRANSFER STATION, L.L.C.

(Pollution Control Facility Siting
Application)

NOTICE OF FILING

TO: J. Brian Manion
Weilmuenster Law Group, P.C.
3201 West Main Street
Belleville IL 62226
(jbm@weilmuensterlaw.com)

Donald J. Moran
Pedersen & Houpt
161 N. Clark Street, Ste 2700
Chicago, Illinois 60601
(dmoran@pedersenhaupt.com)

Robert J. Sprague
Sprague & Urbana
26 E. Washington Street
Belleville, Illinois 62220
(rsprague@spragueurban.com)

Penni S. Livingston
5701 Perrin Rd.
Fairview Heights, IL 62208
(penni@livingstonlaw.biz)

Carol Webb
(Carol.Webb@illinois.gov)

PLEASE TAKE NOTICE that on October 23, 2014, we filed with the Illinois Pollution Control Board (1) this Notice of Filing; and (2) the attached Subpoenas for Public Hearing, which were served on the parties indicated on each Subpoena on October 15, 2014, copies of which are served upon you.

Dated: October 23, 2014

Respectfully submitted,

Jennifer J. Sackett Pohlenz
CLARK HILL PLC
150 N Michigan Ave | Suite 2700 | Chicago,
Illinois 60601
312.985.5912 (direct) | 312.985.5971 (fax) |
Attorney Registration No. 6225990

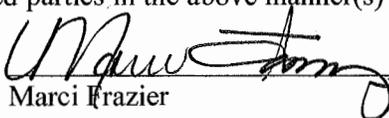
ROXANA LANDFILL, INC.

By:
/s/ Jennifer J. Sackett Pohlenz

One of Its Attorneys

PROOF OF SERVICE

I, Marci Frazier, a non-attorney, on oath states that I served the foregoing Notice of Filing and Subpoenas for Public Hearing on the above listed parties in the above manner(s) this 23rd day of October, 2014, before the hours of 5:00 p.m.

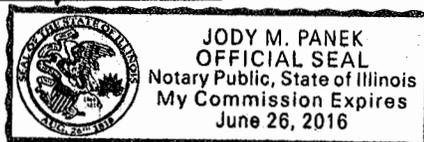


Marci Frazier



Notary Public
My Commission expires 6/26/16

201510941.1 37234/170601



Before the Illinois Pollution Control Board

ROXANNA LANDFILL, INC.)	
)	
)	
Complainant/Petitioner,)	PCB PCB 15-65
)	
v.)	
)	
VILLAGE BOARD OF THE VILLAGE OF)	
CASEYVILLE, ILLINOIS; VILLAGE OF)	
CASEYVILLE ILLINOIS; and CASEYVILLE)	
TRANSFER STATION, LLC)	
)	
Respondent.)	

SUBPOENA FOR POLLUTION CONTROL BOARD HEARING

TO: **Via Personal Service**
Walter Abernathy, Village Board Member, Village of Caseyville
Village of Caseyville
909 South Main Street
Caseyville, Illinois 62232

Counsel for the Village Board and Village of Caseyville- via email
(jbm@weilmuensterlaw.com)
J. Brian Manion
Weilmuenster Law Group, P.C
3201 West Main Street
Belleville IL 62226

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2006)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to attend and give testimony at the Illinois Pollution Control Board Public Hearing in the above-captioned matter starting at **9:00 a.m., on October 28, 2014, at The Village Hall, Village of Caseyville, 909 South Main Street, Caseyville, Illinois 62232.**

You are also ordered to bring with you documents relevant to the matter under consideration and designated herein, books, papers, documents, or other tangible things

concerning the Caseyville Transfer Station, L.L.C. pollution control facility siting application that are not contained the Record on Appeal filed with the Pollution Control Board by the Village of Caseyville.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



John T. Therriault, Clerk
Pollution Control Board
Date: October 14, 2014

I served this subpoena by handing a copy to _____
_____ on _____, 20__.

Subscribed and sworn to before me this _____ day of _____,
20__.

Notary Public

Roxanna Landfill, Inc.
Plaintiff(s),

Case No.: PCB PCB 15-65

AFFIDAVIT OF SERVICE

vs.

Village Board of the Village of Caseyville, Illinois, et al.
Defendant(s),

I, **Marybeth Rice**, being first duly sworn on oath, depose and say the following:

I am over the age of 18, not a party to this action, and an employee of Elite Process Serving and Investigations, Inc., a licensed private detective agency, license number 117-001199.

Type of Process: **Subpoena for Pollution Control Board Hearing and Subpoena for Deposition and Documents**

Defendant to be served: **Walter Abernathy, Village Board Member, Village of Caseyville**

Address where served: **Village of Caseyville, 909 South Main Street, Caseyville, IL 62232**

On **October 15, 2014** at **6:35 PM**, I served the within named defendant in the following manner:

INDIVIDUAL SERVICE: By delivering a copy of this process to the within named defendant personally.

Description of person process was left with:

Sex: **Male** - Race: **White** - Hair: **Gray** - Approx. Age: **65** - Height: **5'6"** - Weight: **170**

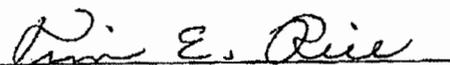
Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

FURTHER AFFIANT SAYETH NOT.

x 
Marybeth Rice

State of Missouri
County of St. Louis City

Subscribed and Sworn to before me on this
12 day of October, 2014


Signature of Notary Public

Job: 269363
File:



Before the Illinois Pollution Control Board

ROXANNA LANDFILL, INC.)	
)	
)	
Complainant/Petitioner,)	PCB PCB 15-65
)	
v.)	
)	
VILLAGE BOARD OF THE VILLAGE OF)	
CASEYVILLE, ILLINOIS; VILLAGE OF)	
CASEYVILLE ILLINOIS; and CASEYVILLE)	
TRANSFER STATION, LLC)	
)	
Respondent.)	

SUBPOENA FOR POLLUTION CONTROL BOARD HEARING

TO: **Via Personal Service**
 Kerry Davis, Village Board Member, Village of Caseyville
 Village of Caseyville
 909 South Main Street
 Caseyville, Illinois 62232

AND

Counsel for the Village Board and Village of Caseyville- via email
(jbm@weilmuensterlaw.com)
 J. Brian Manion
 Weilmuenster Law Group, P.C
 3201 West Main Street
 Belleville IL 62226

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2006)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to attend and give testimony at the Illinois Pollution Control Board Public Hearing in the above-captioned matter starting at **9:00 a.m., on October 28, 2014, at The Village Hall, Village of Caseyville, 909 South Main Street, Caseyville, Illinois 62232.**

You are also ordered to bring with you documents relevant to the matter under consideration and designated herein, books, papers, documents, or other tangible things concerning the Caseyville Transfer Station, L.L.C. pollution control facility siting application that are not contained the Record on Appeal filed with the Pollution Control Board by the Village of Caseyville.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



John T. Therriault, Clerk
Pollution Control Board
Date: October 14, 2014

I served this subpoena by handing a copy to _____
_____ on _____, 20____.

Subscribed and sworn to before me this _____ day of _____,
20____.

Notary Public

Roxanna Landfill, Inc.
Plaintiff(s),

Case No.: PCB PCB 15-65

AFFIDAVIT OF SERVICE

vs.

Village Board of the Village of Caseyville, Illinois, et al.
Defendant(s),

I, **Marybeth Rice**, being first duly sworn on oath, depose and say the following:

I am over the age of 18, not a party to this action, and an employee of Elite Process Serving and Investigations, Inc., a licensed private detective agency, license number 117-001199.

Type of Process: **Subpoena for Pollution Control Board Hearing and Subpoena for Deposition and Documents**

Defendant to be served: **Kerry Davis, Village Board Member, Village of Caseyville**

Address where served: **Village of Caseyville, 909 South Main Street, Caseyville, IL 62232**

On **October 15, 2014 at 6:35 PM**, I served the within named defendant in the following manner:

INDIVIDUAL SERVICE: By delivering a copy of this process to the within named defendant personally.

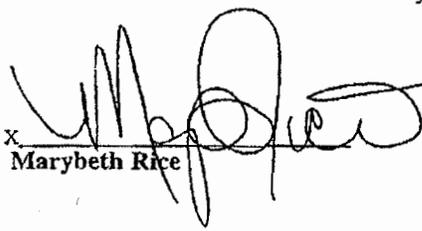
Description of person process was left with:

Sex: **Male** - Race: **White** - Hair: **Salt and Pepper** - Approx. Age: **55** - Height: **6'** - Weight: **180**

Comments: The recipient was wearing eyeglasses.

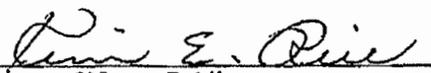
Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

FURTHER AFFIANT SAYETH NOT.

x 
Marybeth Rice

State of Missouri
County of St. Louis City

Subscribed and Sworn to before me on this
17 day of October, 2014


Signature of Notary Public

Job: 269362
File:



Before the Illinois Pollution Control Board

ROXANNA LANDFILL, INC.)	
)	
)	
Complainant/Petitioner,)	PCB PCB 15-65
)	
v.)	
)	
VILLAGE BOARD OF THE VILLAGE OF)	
CASEYVILLE, ILLINOIS; VILLAGE OF)	
CASEYVILLE ILLINOIS; and CASEYVILLE)	
TRANSFER STATION, LLC)	
)	
Respondent.)	

SUBPOENA FOR POLLUTION CONTROL BOARD HEARING

TO: **Via Email (rwatt@caseyville.org) and**
Via Personal Service
 Rob Watt, Village Clerk
 Village of Caseyville
 909 South Main Street
 Caseyville, Illinois 62232

AND

Via email (jbm@weilmuensterlaw.com)
 J. Brian Manion
 Weilmuenster Law Group, P.C.
 3201 West Main Street
 Belleville IL 62226

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2006)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to attend and give testimony at the Illinois Pollution Control Board Public Hearing in the above-captioned matter starting at **9:00 a.m., on October 28, 2014, at The Village Hall, Village of Caseyville, 909 South Main Street, Caseyville, Illinois 62232.**

You are also ordered to bring with you documents relevant to the matter under consideration and designated herein, books, papers, documents, or other tangible things concerning the Caseyville Transfer Station, L.L.C. pollution control facility siting application that are not contained the Record on Appeal filed with the Pollution Control Board by the Village of Caseyville.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



John T. Therriault, Clerk
Pollution Control Board
Date: October 14, 2014

I served this subpoena by handing a copy to _____
_____ on _____, 20____.

Subscribed and sworn to before me this _____ day of _____,
20____.

Notary Public

Roxanna Landfill, Inc.
Plaintiff(s),

Case No.: PCB PCB 15-65

AFFIDAVIT OF SERVICE

vs.

Village Board of the Village of Caseyville, Illinois, et al.
Defendant(s),

I, **Marybeth Rice**, being first duly sworn on oath, depose and say the following:

I am over the age of 18, not a party to this action, and an employee of Elite Process Serving and Investigations, Inc., a licensed private detective agency, license number 117-001199.

Type of Process: **Subpoena for Pollution Control Board Hearing and Subpoena for Deposition and Documents**

Defendant to be served: **Rob Watt, Village Clerk**

Address where served: **Village of Caseyville, 909 South Main Street, Caseyville, IL 62232**

On **October 15, 2014** at **6:34 PM**, I served the within named defendant in the following manner:

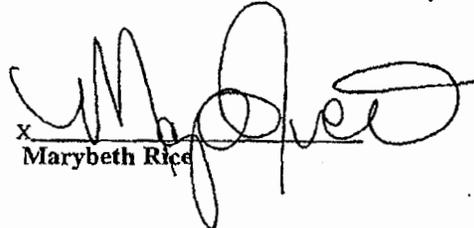
INDIVIDUAL SERVICE: By delivering a copy of this process to the within named defendant personally.

Description of person process was left with:

Sex: **Male** - Race: **White** - Hair: **Shaved** - Approx. Age: **44** - Height: **6'** - Weight: **180**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

FURTHER AFFIANT SAYETH NOT.

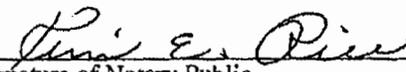
x 
Marybeth Rice

State of Missouri

County of St. Louis City

Subscribed and Sworn to before me on this

17 day of October, 2014


Signature of Notary Public

Job: 269361
File:



Before the Illinois Pollution Control Board

ROXANNA LANDFILL, INC.)	
)	
)	
Complainant/Petitioner,)	PCB PCB 15-65
)	
v.)	
)	
VILLAGE BOARD OF THE VILLAGE OF)	
CASEYVILLE, ILLINOIS; VILLAGE OF)	
CASEYVILLE ILLINOIS; and CASEYVILLE)	
TRANSFER STATION, LLC)	
)	
Respondent.)	

SUBPOENA FOR POLLUTION CONTROL BOARD HEARING

TO: **Via Email (lmcreeynolds@caseyville.org) and**
Via Personal Service
 Leslie McReynolds
 Village of Caseyville
 909 South Main Street
 Caseyville, Illinois 62232

AND

Via email (jbm@weilmuensterlaw.com)
 J. Brian Manion
 Weilmuenster Law Group, P.C.
 3201 West Main Street
 Belleville IL 62226

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2006)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to attend and give testimony at the Illinois Pollution Control Board Public Hearing in the above-captioned matter starting at **9:00 a.m., on October 28, 2014, at The Village Hall, Village of Caseyville, 909 South Main Street, Caseyville, Illinois 62232.**

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concerning the Caseyville Transfer Station, L.L.C. pollution control facility siting application that are not contained the Record on Appeal filed with the Pollution Control Board by the Village of Caseyville.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



John T. Therriault, Clerk
Pollution Control Board
Date: October 14, 2014

I served this subpoena by handing a copy to _____
_____ on _____, 20____.

Subscribed and sworn to before me this _____ day of _____,
20____.

Notary Public

Roxanna Landfill, Inc.
Plaintiff(s),

Case No.: PCB PCB 15-65

AFFIDAVIT OF SERVICE

vs.

Village Board of the Village of Caseyville, Illinois, et al.
Defendant(s),

I, **Marybeth Rice**, being first duly sworn on oath, depose and say the following:

I am over the age of 18, not a party to this action, and an employee of Elite Process Serving and Investigations, Inc., a licensed private detective agency, license number 117-001199.

Type of Process: **Subpoena for Pollution Control Board Hearing and Subpoena for Deposition and Documents**

Defendant to be served: **Leslie McReynolds**

Address where served: **Village of Caseyville, 909 South Main Street, Caseyville, IL 62232**

On **October 15, 2014 at 6:34 PM**, I served the within named defendant in the following manner:

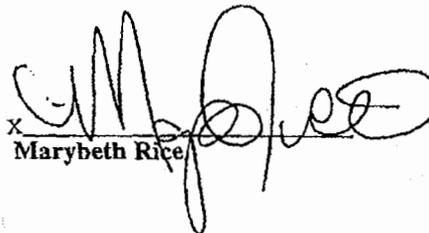
INDIVIDUAL SERVICE: By delivering a copy of this process to the within named defendant personally.

Description of person process was left with:

Sex: **Female** - Race: **White** - Hair: **Black** - Approx. Age: **42** - Height: **5'2"** - Weight: **125**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

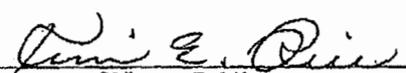
FURTHER AFFIANT SAYETH NOT.

x 
Marybeth Rice

State of Missouri

County of St. Louis City

Subscribed and Sworn to before me on this
17 day of October, 2014


Signature of Notary Public

Job: 269360
File:



Before the Illinois Pollution Control Board

ROXANNA LANDFILL, INC.)	
)	
)	
Complainant/Petitioner,)	PCB PCB 15-65
)	
v.)	
)	
VILLAGE BOARD OF THE VILLAGE OF)	
CASEYVILLE, ILLINOIS; VILLAGE OF)	
CASEYVILLE ILLINOIS; and CASEYVILLE)	
TRANSFER STATION, LLC)	
)	
Respondent.)	

SUBPOENA FOR POLLUTION CONTROL BOARD HEARING

TO: Via email (John Siemsen jsiemsen@mcminc.net)

John Siemsen, Manager
Caseyville Transfer Station L.L.C.
290 South Main Place #101
Carol Stream, Illinois 60188

AND

Counsel for Caseyville Transfer Station, L.L.C.

via email (penni@livingstonlaw.biz)

Penni S. Livingston
5701 Perrin Rd.
Fairview Heights, IL 62208

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2006)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to attend and give testimony at the Illinois Pollution Control Board Public Hearing in the above-captioned matter starting at **9:00 a.m., on October 28, 2014, at The Village Hall, Village of Caseyville, 909 South Main Street, Caseyville, Illinois 62232.**

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application that are not contained the Record on Appeal filed with the Pollution Control Board by the Village of Caseyville.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



John T. Therriault, Clerk
Pollution Control Board
Date: October 14, 2014

I served this subpoena by handing a copy to _____
_____ on _____, 20____.

Subscribed and sworn to before me this _____ day of _____,
20____.

Notary Public

From: Pohlenz, Jennifer Sackett
Sent: Tuesday, October 14, 2014 8:52 PM
To: 'John Siemsen'
Cc: Donald J. Moran (dmoran@pedersenhoupt.com); penni@livingstonlaw.biz; J. Brian Manion
<jbm@weilmuensterlaw.com> (jbm@weilmuensterlaw.com)
Subject: FW: Subpoenas for Deposition and Public Hearing

Please see attachments also sent to counsel for Caseyville Transfer Station, L.L.C., copied on this email.

Regards,

Jennifer

Jennifer J. Sackett Pohlenz

CLARK HILL PLC
150 N Michigan Ave | Suite 2700 | Chicago, Illinois 60601
312.985.5912 (direct) | 312.985.5971 (fax) | 312.802.7810 (cell)
jpohlenz@clarkhill.com | www.clarkhill.com

From: Pohlenz, Jennifer Sackett
Sent: Tuesday, October 14, 2014 4:23 PM
To: penni@livingstonlaw.biz; J. Brian Manion <jbm@weilmuensterlaw.com>
(jbm@weilmuensterlaw.com)
Cc: Donald J. Moran (dmoran@pedersenhoupt.com)
Subject: Subpoenas for Deposition and Public Hearing

I am enclosing subpoenas for depositions and, separately, for the public hearing.

Regards,

Jennifer

Jennifer J. Sackett Pohlenz

CLARK HILL PLC
150 N Michigan Ave | Suite 2700 | Chicago, Illinois 60601
312.985.5912 (direct) | 312.985.5971 (fax) | 312.802.7810 (cell)
jpohlenz@clarkhill.com | www.clarkhill.com