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CLERK'S OFFICE

SEP 11 2003

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
JOHN PRIOR, d/b/a PRIOR OIL COMPANY,)
and JAMES MEZO, d/b/a MEZO OIL)
COMPANY,)
)
Respondents.)

PCB NO. 02-177
(Enforcement)

NOTICE OF FILING

To: John Prior
421 North Morrison
Central City, Illinois 62801

James Mezo
418 East Main Street
P.O. Box 220
Benton, Illinois 62812

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, a NOTICE TO APPEAR, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: Sally A. Carter
SALLY A. CARTER
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: 9/8/03

CERTIFICATE OF SERVICE

I hereby certify that I did on the 8th day of September, 2003, send by First Class Mail, with postage thereon fully prepaid, by depositing in the United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and NOTICE TO APPEAR

To: John Prior
421 North Morrison
Central City, Illinois 62801

James Mezo
418 East Main Street
P.O. Box 220
Benton, Illinois 62812

and the original and five copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s)

To: Dorothy Gunn, Clerk
Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601

A true and correct copy was also sent to:

Carol Sudman
Hearing Officer
Pollution Control Board
1021 North Grand Avenue East
Springfield, Illinois 62794



SALLY A. CARTER
Assistant Attorney General

This filing is submitted on recycled paper.

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SEP 11 2003

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
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 Complainant,)
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 JOHN PRIOR, d/b/a PRIOR OIL COMPANY,)
 and JAMES MEZO, d/b/a MEZO OIL)
 COMPANY,)
)
 Respondents.)

PCB NO. 02-177
(Enforcement)

NOTICE TO APPEAR

To: John Prior
421 North Morrison
Central City, Illinois 62801

YOU ARE HEREBY NOTIFIED THAT, pursuant to Supreme Court Rule 237(b), you are hereby directed to appear at the September 15, 2003, hearing at 10:00 a.m. before Hearing Officer Carol Sudman at Courtroom 2, Washington County Courthouse, Nashville, Illinois, and produce the following documents:

- 1) All federal and state personal income tax records including all schedules of Mr. John Prior for 1996 through 2002.
- 2) All federal and state income tax records including all schedules of Prior Oil Company for 1996 through 2002.
- 3) All financial records for John Prior and Prior Oil Company, including the following information and documents: loans received during and since 1996, the source of each loan, payment schedules for and since 1996, contracts relative to the oil and gas operation executed in and since 1996, statements of expenses for and since 1996, all versions of business plans developed in and since 1996, personal and business bank statements for and since 1996, personal and business balance sheets for and since 1996, statements of assets and liabilities for and since 1996, all personal and business insurance policies in effect in and since

1996 relative to any operation conducted by John Prior and/or Prior Oil Company.

- 4) All documents and information pertaining to the following: all financial or in-kind assistance from business, industry associates or other investors in the form of direct financial income or in-kind income, and financing for John Prior and/or Prior Oil Company.
- 5) All documents and information pertaining to funds, investments, savings and/or checking accounts held by Mr. Prior individually or with others jointly between January 1, 1996, and the present.
- 6) All documents and information pertaining to any and all loans obtained or held by Mr. Prior, his spouse, and/or Prior Oil Company within the past three years. This includes any and all financial statements or other documents relating to financial status submitted to any financial institution for the purpose of obtaining such loan, and any loan applications submitted by John Prior, his spouse and/or Prior Oil Company.
- 7) All financial statements that were prepared by, or for John Prior, his spouse and/or Prior Oil Company for the purpose of acquiring any loans, for monthly reporting purposes, balance sheets, income statements, changes in equity or capital funding or for any other purpose for the years 1996 through the present.
- 8) All federal and state personal income tax records including all schedules of John Prior's spouse, Betty Prior, for 1996 through 2002.
- 9) All documents and information pertaining to any real property currently owned or owned since January 1, 1996, through the present by John Prior, his spouse and/or Prior Oil Company.
- 10) All documents and information pertaining to any interest that John Prior, his spouse and/or Prior Oil Company has in the following: stocks, bonds or other securities; mortgages on real property or personal property; promissory notes,

drafts, bills of exchange or other commercial paper; judgments; jewelry or antiques; stamp collections, coin collections, gun collections or other types of collections; savings bonds; motor vehicles, recreational vehicles, or trailers; patents, inventions, trade names, trademarks or copyrights; joint ventures or other business enterprises; and warehouse receipts, bills of lading or other documents of title.

- 11) All documents and information pertaining to any interest that John Prior, his spouse and/or Prior Oil Company has in the estate of any deceased person, any trust, any will, any insurance policy.
- 12) All documents and information pertaining to any independent audit or audits made of the financial condition of John Prior and/or Prior Oil Company in the years 1996 through the present.
- 13) Any and all documents and information responsive to the Interrogatories Directed to John Prior, d/b/a Prior Oil Company and Request for Production Directed to John Prior, d/b/a Prior Oil Company mailed to John Prior on July 30, 2003. The Interrogatories and production requests are attached and incorporated by reference herein.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: Sally A. Carter
SALLY A. CARTER
Assistant Attorney General
Environmental Bureau

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF)
ILLINOIS,)
)
Complainant,)
)
vs.)
)
JOHN PRIOR, d/b/a PRIOR OIL)
COMPANY, and JAMES MEZO,)
d/b/a MEZO OIL COMPANY,)
)
Respondents.)

No.
(Enforcement)

NOTICE OF SERVICE OF DISCOVERY DOCUMENTS

To: John Prior
421 North Morrison
Central City, IL 62801

James Mezo
418 East Main Street
P.O. Box 220
Benton, IL 62812

PLEASE TAKE NOTICE that I have today served on the Respondent, John Prior, d/b/a Prior Oil Company, the following discovery document in the above-referenced matter.

- 1. INTERROGATORIES DIRECTED TO JOHN PRIOR, d/b/a PRIOR OIL COMPANY
- 2. REQUEST FOR PRODUCTION DIRECTED TO JOHN PRIOR, d/b/a PRIOR OIL COMPANY

Respectfully submitted,
PEOPLE OF THE STATE OF ILLINOIS
LISA MADIGAN
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: Sally A. Carter
SALLY A. CARTER
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: July 30, 2003

CERTIFICATE OF SERVICE

I hereby certify that I did on July 30, 2003, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument entitled NOTICE OF SERVICE OF DISCOVERY DOCUMENTS

To: John Prior
421 North Morrison
Central City, IL 62801


James Mezo
418 East Main Street
P.O. Box 220
Benton, IL 62812

and the original and five copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid

To: Carol Sudman
Hearing Officer
Pollution Control Board
600 South Second Street
Springfield, IL 62706



Sally A. Carter
Assistant Attorney General

This filing is submitted on recycled paper.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
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Complainant,)	
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v.)	PCB NO. 02-177
)	
JOHN PRIOR d/b/a PRIOR OIL COMPANY)	
and JAMES MEZO d/b/a MEZO OIL)	
COMPANY,)	
)	
Respondents.)	

INTERROGATORIES DIRECTED TO JOHN PRIOR d/b/a PRIOR OIL COMPANY

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and propounds these Interrogatories to John Prior d/b/a Prior Oil Company ("Respondent" or "Prior") pursuant to 35 Ill. Adm. Code 101.620 and requests that the Respondent answer these Interrogatories within 28 days:

DEFINITIONS AND CONSTRUCTION

- A. As used herein, the words and phrases set out below shall have the meaning or meanings as follows:
1. "Respondent" or "Prior" shall mean John Prior d/b/a Prior Oil Company and any other related entities owned and/or operated by John Prior.
 2. "You" or "your" shall mean the Respondent, related entities or any other person or persons acting for, or purportedly acting on behalf of or in concert with, the Respondent.
 3. "Communication" means or refers to all inquiries, discussions, conversations, negotiations, agreements, contracts, letters, correspondence, notes, telegrams, telexes, videotapes or other terms of written or verbal communication.
 4. "Document" as that term is used herein, includes any and all manner of written, typed, printed, reproduced, filmed or recorded material, and all photographs, pictures, plans, or

other representations of any kind of anything pertaining, describing, referring or relating, directly or indirectly, in whole or in part, to the subject matter of each paragraph of these Interrogatories. The term "documents" as used herein, includes but is not limited to, papers, books, journals, ledgers, statements, memoranda, reports, invoices, work sheets, work papers, notes, transcriptions of notes, letters, correspondence, abstracts, checks, diagrams, maps, surveys, plans, films, photographs, diaries, lists, logs, publications, advertisements, instructions, minutes, orders, purchase orders, messages, resumes, summaries, agreements, contracts, telegrams, telexes, cables, recordings, audio tapes, magnetic tapes, videotapes, transcriptions of tapes or records, calculator or computer tapes, books, pamphlets, leaflets, announcements, bulletins, publications, journals, newsletters, or other periodicals, agendas, opinions, charts, tabulations, digests, calculations, studies, expert analysis, evaluations, manuals, guides, research papers, articles, e-mails, or other writing or tangible things on which any handwriting, typing, printing, photostatic or other forms of communications or information are recorded or reproduced, as well as all notations on the foregoing, in the possession of Respondent, John Prior and/or Prior Oil Company his attorneys, agents or employees.

5. "Identification" or "identify" shall mean:

a. As to an individual, stating his or her:

- i. name;
- ii. current address, or if that is unknown, his last known address;
- iii. profession or occupation;
- iv. current business affiliation, title and current business address;
- v. the business affiliation, business address, and the correct title of such person with respect to the business, organization or entity with which he or she was associated and the capacity in which such person acted in connection with the subject matter of this Interrogatory:

- vi. whether such person has given you or anyone affiliated with you a statement in writing, or in any other tangible or permanent form, which in any way bears upon or relates to the subject matter of the Interrogatory or to the facts alleged in the Complaint on file herein; and
 - vii. whether such person has given you or anyone affiliated with you an oral statement, and, if so, whether any of the substance of such communication has been reduced to tangible or permanent form whether by way of written memorandum, transcript, recording or other means.
- b. As to any person other than an individual stating:
- i. its legal name and any other names used by it;
 - ii. the form or manner of its organization (e.g., partnership, trust, corporation, etc.); and
 - iii. the state of its incorporation (if it is incorporated) and the address of its principal place of business.
- c. As to a document, stating:
- i. the date of its creation, execution and receipt;
 - ii. its author or signatory;
 - iii. its addressee and any other recipient;
 - iv. its type or nature (e.g., letter, memorandum, etc.), including its subject matter (which shall be stated with particularity);
 - v. the identity and business and home address of the custodian; and
 - vi. the present location of the document.
- d. As to an event, incident, conversation, transaction or occurrence, stating:
- i. its date;
 - ii. the place where it took place and the manner of its occurrence;
 - iii. the identification of all the participants;
 - iv. its purpose and subject matter; and
 - v. a description of what transpired.

6. If dates are requested in the interrogatories, the exact date should be given if possible. However, if the exact date cannot be determined due to absence or inadequacy of records, the best estimate should be given as to the interrogatory and labeled as such.

7. "Related to" or "relating to" and "concerning" shall mean directly or indirectly, mentioning or describing, pertaining to, being connected with, or reflecting upon a stated matter.

8. As used herein, the terms "any" and "all" also include "each and every".

9. "Relied upon" shall mean being or having been depended upon or referred to or being or having been arguably appropriate for such reliance.

10. In construing these interrogatories:

- a. The singular shall include the plural and the plural shall include the singular;
- b. A masculine, feminine or neutral pronoun shall not exclude the other genders; and
- c. The terms "and" as well as "or" shall be construed disjunctively or conjunctively as necessary in order to bring within the scope of the interrogatory all responses which might otherwise be construed to be outside its scope.

11. "Gompers site" shall refer to the Respondent's facility located at 140 Gompers Street in Wamac, Washington County, Illinois.

12. "Park site" shall refer to the Respondent's facility located at the Wamac City Park in Wamac, Washington County, Illinois.

13. "Mezo Oestreich site" shall refer to several above ground tank batteries used to store crude oil, specifically including the Mezo Oestreich #1 tank battery located at 224 Wabash, Wamac, Washington County, Illinois.

14. "Morgan Kalberkamp site" shall refer to the Morgan Kalberkamp #1 tank located in close proximity to 312 Wabash in Wamac, Washington County, Illinois.

15. "Person" shall have the meaning as set forth in Section 3.26 of the Illinois Environmental Protection Act, 415 ILCS 5/3.26 (2002).

16. "Illinois EPA" shall refer to the Illinois Environmental Protection Agency.

17. "Mezo" shall refer to James Mezo d/b/a Mezo Oil Company.

II. INSTRUCTIONS

1. To the extent that any information called for by these interrogatories is unknown to you, so state, and set forth such remaining information as is known. In addition, if any estimate or approximation can reasonably be made in place of unknown information, set forth your best estimate or approximation, clearly designated as such, in place of such unknown information, and describe the basis upon which the estimate or approximation is made.

2. Each interrogatory is intended to, and does request that each and every part and particular thereof be answered with the same force and effect as if each part and particular were the subject of, and were asked by, a separate interrogatory.

3. In the event that you refuse to answer any interrogatory, or portion thereof, on the basis that it is subject to the attorney-client or attorney's work product privilege, or on any other basis, the following information shall be supplied:

- a. A numerical list of the documents for which limitation of discovery is claimed, including:
 1. the nature of the claim or privilege;
 2. all facts relied upon in support of the claim or privilege;
 3. the name of the writer, sender or initiator of such document, if any;
 4. the name of recipient, addressee, or party for whom such document was intended, if any;
 5. the date of such document, if any, or estimate thereof and so indicated as an estimate if no date appears on said document;

6. all persons having knowledge of any facts related to the claim of privilege; and
 7. the general subject matter as described on each document, or, if no such description appears, then such other description sufficient to identify said document.
- b. A concise description of all conversations or other matters for which the privilege is asserted, noting
1. the nature of the claim or privilege;
 2. all facts relied upon in support of the claim or privilege;
 3. the parties to each conversation;
 4. the date of each conversation;
 5. all persons having knowledge of any facts related to the claim of privilege; and
 6. the subject matter of each conversation.

4. These interrogatories shall be deemed continuing, so as to require prompt additional answers if, and as soon as, further information is obtained between the time answers hereto are served and the time of trial.

5. In answering these interrogatories, you are to identify, with regard to each interrogatory, each person who furnished information used in your answer to said interrogatory, if said answer is not based in its entirety on the personal knowledge of the individual executing and signing your answers to interrogatories.

6. In answering each interrogatory:
- a. Provide the full name, address and current position or title of each person answering the interrogatory.
 - b. State whether the answer is within the personal knowledge of the person answering the interrogatory and, if not, the identity of each person known to have personal knowledge of the answer; and
 - c. Identify each document that was used in any way to formulate the answer.

INTERROGATORIES

Interrogatory No. 1: Identify all sources of income, including assistance from business, industry associates or other investors in the form of direct financial income or in-kind income, and financing for John Prior and Prior Oil Company, including but not limited to the following documents and information: statements of annual income for and since 1996, loans received during and since 1996 and the source of each loan, loan payment schedules for and since 1996, contracts relative to oil operation executed in and since 1996, personal and business (corporate) income tax returns filed for and since 1996, statements of expenses prepared for and since 1996, information regarding any and all financial or in-kind assistance from business, industry associates or other investors.

Answer:

Interrogatory No. 2: Please state all banks, savings and loan institutions, trust companies and other financial institutions in which you, jointly with others or individually, have had funds, investments, savings and/or checking accounts between January 1, 1996, and the date of answering these interrogatories. As to each account, state:

- a. The maximum amount of funds at any one time in such account between January 1, 1996, and the amount of funds in such account as of the date of answering these interrogatories;
- b. The number and type of such account;

- c. The address of the financial institution in which such account is located; and
- d. The name, address, present location, and employer of any other person who has authority to draw funds from such account.

Answer:

Interrogatory No. 3: Identify the banking or other financial institution utilized by the Respondent and/or Respondent's spouse. State whether Respondent and/or Respondent's spouse had obtained or held any loan from such institution within the last three years. If any loan has been obtained, answer the following:

- a. Identify each institution from which a loan has been obtained or held and identify the amount of the loan obtained;
- b. Identify any financial statements or other documents relating to financial status submitted to any financial institution for the purpose of obtaining such loan;
- c. Identify any loan applications submitted by the Respondent or Respondent's spouse;
- d. Identify each payment on each such loan, including the amount and date of payment.

Answer:

Interrogatory No. 4: State and describe any contacts or inquiries made by, or for, the Respondent or Respondent's spouse relating to seeking loans or other financing from any bank or other financial institution during 1996 through the present. As to any such contact or inquiry, answer the following:

- a. Identify each contact or inquiry made;
- b. Identify each bank or financial institution contacted;
- c. Identify each person contacted;
- d. Identify the date of each contact;
- e. Identify the nature of each contact (whether verbal or written);
- f. Identify any documents related to such contacts.

Answer:

Interrogatory No. 5: Identify any financial statements that were prepared by, or for, Respondent, or Respondent's spouse for the purpose of acquiring any loans, for monthly reporting purposes, balance sheets, income statements, changes in equity or capital funding or for any other purpose for the years 1996 through the present.

Answer:

Interrogatory No. 6: Identify all documents which the Respondent or Respondent's spouse may have used to acquire outside funding, or to acquire funding from other operations or related entities.

Answer:

Interrogatory No. 7: Please set forth by year, the revenue or gross receipts received by Respondent as a result of the operation of Prior Oil Company for the most recent 10 years of operation.

Answer:

Interrogatory No. 8: If the Respondent is married, and his spouse is employed, is in business or has any other source of income, give the name and address of such employment, business, or source of income and the salary or income derived therefrom.

Answer:

Interrogatory No. 9: Does the Respondent or the Respondent's spouse presently own any real property or have they owned any since January 1, 1996?

- a. Describe who owns the property, where it is located, how title is held, the size and type of property, and the value of the Respondent's equity interest in the property;
- b. When was the real property purchased;
- c. How much was paid for it;
- d. Balance of any existing mortgage;
- e. In whose name is the mortgage;
- f. Are there any liens on the property;
- g. Who makes the mortgage payments;
- h. What is the fair market value of the property;

Answer:

Interrogatory No. 10: Does the Respondent or Respondent's spouse own or have any interest in any of the following:

- a. Stocks, bonds or other securities;
- b. Mortgages on real property or personal property;

- c. Promissory notes, drafts, bills of exchange or other commercial paper;
- d. Judgments;
- e. Jewelry or antiques;
- f. Stamp collections, coin collections gun collections, or other types of collections;
- g. Savings bonds;
- h. Motor vehicles, recreational vehicles, or trailers;
- i. Patents, inventions, trade names, trademarks, or copyrights;
- j. Joint ventures or other business enterprises;
- k. Warehouse receipts, bills of lading, or other documents of title; and
- l. For each item of property, give the approximate value, identify each item sufficiently to allow verification of value, and state whether the property is subject to any form of security interest, lien or encumbrance.

Answer:

Interrogatory No. 11: Does Respondent have any possible claim or cause of action against another person because of tort, contract, land contract, or loan.

Answer:

Interrogatory No. 12: Does Respondent or Respondent's spouse have any interest in the estate of any deceased person? If so, give full particulars of each interest.

Answer:

Interrogatory No. 13: Is the Respondent or Respondent's spouse the beneficiary of any trust? If so, give the particulars of each trust.

Answer:

Interrogatory No. 14: Is the Respondent the beneficiary of any will or policy of insurance? If so, give the particulars of each will or policy.

Answer:

Interrogatory No. 15: Are there any judgments of record against the Respondent? If so, give the dates, amounts, the courts where rendered, the name of the judgment creditors, and the amount of payments, if any, made toward the judgment.

Answer:

Interrogatory No. 16: What is the total of the Respondent's liabilities?

Answer:

Interrogatory No. 17: Please state the Respondent's Social Security Number.

Answer:

Interrogatory No. 18: State whether there has been an independent audit or audits made of the financial condition of the Respondent, John Prior and/or Prior Oil Company in the years 1996 through the present. If such an audit has been conducted, identify the persons who made such an audit, the date of such audit, and any documents produced during the course of, and as a result of such audit.

Answer:

Interrogatory No. 19: Have you in the past 10 years created, produced, or manufactured any articles of value that have been offered for sale? If so, state:

- a. What products you have created or produced;
- b. The amount or number sold in each of the past 10 years;
- c. The total amount received in each year as a result of these sales;
- d. Whether you are now engaged in the creation or production of any such products.

Answer:

Interrogatory No. 20: Have you, within the past 10 years, offered any services for

compensation on a part-time basis? If so, state:

- a. The type of services offered;
- b. The total compensation received for the performance of these services for each of the last 10 years;
- c. Whether you are still performing these services.

Answer:

Interrogatory No. 21: Do you or your spouse receive any income from any business of which you or your spouse are the sole proprietor? If so, state:

- a. The name under which the business is conducted;
- b. The type of business conducted;
- c. The principal place of business;
- d. What duties you perform in connection with the operation of the business;
- e. The amount of any salary you regularly draw from the business;
- f. The accounting periods for which profits or losses are calculated;
- g. The method employed to transfer any profits from the company accounts to your personal accounts;
- h. The total amount of all transfer of money from the business accounts to your personal account during the last 10 years;
- i. The date of the last distribution of profits to you.

Answer:

Interrogatory No. 22: Have you, at any time in the last 10 years entered into any transaction with your spouse, or other relative, involving the transfer, conveyance, assignment, or other disposition of any of your real or personal property? If so, for each transaction, state:

- a. A description of the property involved;
- b. When the transaction took place;
- c. What consideration was received by you;
- d. The name and address of each member of your family or other relative involved in the transaction.

Answer:

Interrogatory No. 23: Have you, at any time in the last 10 years, transferred any of your property, whether real or personal, to any other person in consideration of future support?

- a. A description of the property transferred;
- b. When the transfer took place;
- c. The name and address of each person to whom the transfer was made.

Answer:

Respondent Prior is further requested to furnish an Affidavit attesting to the accuracy and the completeness of these responses.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN
Attorney General
of the State of Illinois,

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: Sally A. Carter
SALLY A. CARTER
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: 7/30/03

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
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 Complainant,)
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 v.) PCB 02-177
)
 JOHN PRIOR d/b/a PRIOR OIL COMPANY)
 and JAMES MEZO d/b/a MEZO OIL)
 COMPANY,)
)
 Respondents.)

REQUEST FOR PRODUCTION DIRECTED TO JOHN PRIOR d/b/a PRIOR OIL COMPANY

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by Lisa Madigan, Attorney General of the State of Illinois, and propounds these Requests for Production to the Respondent, Patrick Robert Land Trust ("Respondent" or "Land Trust") pursuant to 35 Ill. Adm. Code 101.100(b) and S. Ct. Rule 214, and requests that the Respondent produce the materials requested by these Requests for Production within 28 days:

1. All documents identified in response to Complainant's Interrogatories.
2. All documents relied upon in responding to Complainant's Interrogatories.
3. All federal and state personal income tax records including all schedules of Mr. John Prior for 1996 through 2002.
4. All federal and state income tax records including all schedules of Prior Oil Company for 1996 through 2002.
5. All financial records for John Prior and Prior Oil Company, including the following information and documents: loans received during and since 1996, payment schedules for and since 1996, contracts relative to the oil and gas operation executed in and since 1996, statements of expenses for and since 1996, all versions of business plans developed in and since 1996, personal and business

banks statements for and since 1996, personal and business balance sheets for
and since 1996, statements of assets and liabilities for and since 1996, all
personal and business insurance polies in effect in and since 1996 relative to
any operation conducted by John Prior or Prior Oil Company.

Respondent Prior is further requested to furnish an Affidavit stating whether the
production is complete in accordance with this Request.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. JAMES E. RYAN,
Attorney General
of the State of Illinois,

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: Sally A. Carter
SALLY A. CARTER
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: 7/30/03