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STATE OF ILLINOIS  
Pollution Control Board

**ILLINOIS POLLUTION CONTROL BOARD**

TERESA L. SHEPRO, as Trustee of the )  
Justice W. Shepro Trust, )  
and TERESA L. SHEPRO and )  
FRANK WIEMERSLAGE, as )  
beneficiaries under Trust No. 898, of the )  
Chicago Trust Company, )  
Complainant, )

vs. )

Case No. PCB 04-12

NEWBY OIL COMPANY, DAVID E. )  
TRIPP and JANICE L. TRIPP, )  
Respondents. )

**ANSWER TO AMENDED COMPLAINT**

**NOW COME**, the Respondent, NEWBY OIL COMPANY, by its attorneys, KINNALLY, KRENTZ, LORAN, HODGE & HERMAN, P.C., and for its answer to the amended complaint of the Plaintiffs allege as follows:

**Count I-Newby**

1. Deny.
2. Deny.
3. Deny.
4. Deny.
5. Admit.
6. Admit.
7. Deny.
8. Admit.

9. Deny.  
10. Deny.  
11. Deny. Further answering, state the fact to be that any contamination has been the sole result of Petitioners' prior pollution of the site.

12. Deny.  
13. Deny.  
14. Deny, including specific denials of subparagraphs (a), (b), (c), (d), (e), and (f).  
15. Deny.  
16. Deny.

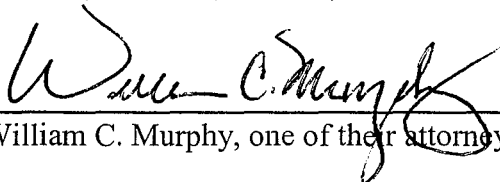
**WHEREFORE**, Defendant, NEWBY OIL COMPANY, prays that all of the relief prayed for by Complainants in Count I be denied and that these Defendants have its costs of suit.

**Count II-Tripp**

Respondent, NEWBY OIL COMPANY, makes no answer to Count II of the Complaint as no relief is asked for in that Count against NEWBY OIL COMPANY.

NEWBY OIL COMPANY

KINNALLY, KRENTZ, LORAN, HODGE & HERMAN, P.C.

By:   
William C. Murphy, one of their attorneys

William C. Murphy Attorney No. 1998838  
KINNALLY, KRENTZ, LORAN, HODGE & HERMAN, P.C.  
2114 Deerpath Road, P.O. Box 5030  
Aurora, Illinois 60507-5030  
630/907-0909

STATE OF ILLINOIS            )  
  )        SS  
COUNTY OF KANE            )

**CERTIFICATE OF SERVICE**

The undersigned, being first duly sworn on oath, deposes and states that she did deposit a copy of the foregoing **Answer to Amended Complaint** in a United States Post Office Box in the City of North Aurora, Kane County, Illinois, before the hour of 6:00 p.m., with United States postage fully prepaid thereon, on the 19<sup>th</sup> day of **November, 2003**, enclosed in an envelope properly and securely sealed and plainly addressed as follows:

TO:   Pollution Control Board  
      100 W. Randolph Street, Suite 11-500  
      Chicago, IL 60601

Clayton L. Lindsey  
WILLIAMS & McCARTHY  
P.O. Box 339  
Oregon, IL 61062

Keith L. Foster  
CLIFFE, FOSTER, CORNEILLE & BUICK, P.C.  
151 W. Lincoln Highway  
DeKalb, IL 60115

*Laura M. Burns*

SUBSCRIBED and SWORN TO before  
me this 19<sup>th</sup> day of November, 2003.

*Faviola Carmona*  
NOTARY PUBLIC

