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**JUN 20 2005**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, }

Complainant, }

vs. }

4832 S. VINCENNES, L.P., an Illinois  
limited partnership, and BATTEAST  
CONSTRUCTION COMPANY, INC.,  
An Indiana corporation, }

Respondents. }

No. 04-7  
(Enforcement-Air)

**NOTICE OF FILING**

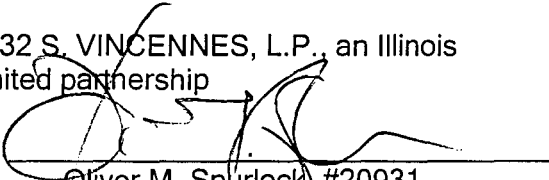
To: Paula Becker Wheeler  
Assistant Attorney General  
Environmental Bureau  
188 W. Randolph Street, 20<sup>th</sup> Floor  
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today, June 20, 2005, filed with the Office of the Clerk of the Illinois Pollution Control Board an original and four copies of my Interrogatories to Complainant, a copy of which is attached herewith and served upon you.

Respectfully submitted,

4832 S. VINCENNES, L.P., an Illinois  
limited partnership

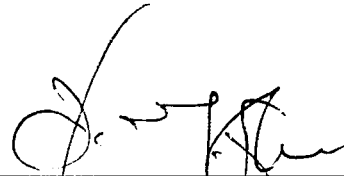
By

  
\_\_\_\_\_  
Oliver M. Spurlock, #20931  
9415 South State Street  
Chicago, Illinois 60619  
(773) 660-4300  
(773) 660-8686 facsimile

CERTIFICATE OF SERVICE

I, OLIVER M. SPURLOCK, an attorney, do certify that I caused to be served this 20<sup>th</sup> day of June, 2005, Respondent, 4832 S. Vincennes, L.P.'s, Interrogatories to Complainant, to the person named below by placing the same in overnight mail with U.S. postage prepaid, at 9415 South State Street, Chicago, Illinois 60619.

Paula Becker Wheeler  
Assistant Attorney General  
Environmental Bureau  
188 W. Randolph Street, 20<sup>th</sup> Floor  
Chicago, Illinois 60601



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PEOPLE OF THE STATE OF ILLINOIS, }

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No. 04-7  
(Enforcement-Air)

**RESPONDENT, 4832 S. VINCENNES, L.P.'S, INTERROGATORIES TO  
COMPLAINANT**

Respondent, 4832 S. Vincennes, L.P., pursuant to Section 101.616 of the Board's Procedural Regulations, Hearing Officer Order dated October 21, 2003 and Illinois Supreme Court Rule 213, requests that complainant, PEOPLE OF THE STATE OF ILLINOIS and the ILLINOIS ATTORNEY GENERAL, answer in writing, under oath, the following interrogatories:

1. Identify all documents in your possession or under your control relating to any warning given to respondent or respondent's agent regarding the presence of suspect asbestos containing material ("ACM"):

- a. verbatim content of each warning;
- b. the exact date warning was issued;
- c. the person the warning was issued to;
- d. identify the person who issued the warning;

**ANSWER:**

2. If Complainant contends that warnings were communicated or delivered to any respondents or agents thereof, state the date, name, address and telephone number of the persons who received the warnings.

**ANSWER:**

3. Set forth the names and addresses of any and all persons having knowledge of the facts relevant to the complainant's allegation that any of the respondents had knowledge of the presence of ACM at the work site.

ANSWER:

4. Set forth in detail and with particularity, and all instructions given to respondents' contractors regarding ACM or removal thereof.

ANSWER:

5. Set forth in detail and with particularity each and every letter, memorandum, report, deposition, transcript and any other document which the complainant will offer to prove that any of the respondents intentionally ignored the warnings, orders, directives or communication from the complainant's agent regarding the presence of ACM.

ANSWER:

6. With respect to the work site, state whether there were any health or safety surveys and inspections conducted at the work site by the Illinois Pollution Control Board's agents or employees.

ANSWER:

7. If you have answered Interrogatory No. 6 in the affirmative, with respect to each health or safety survey and inspection, please state:

- a. Name, title and office address and telephone number of the inspector;
- b. The date or dates the survey or inspection was conducted;
- c. The department, agency section or other governmental entity of the State of Illinois which conducted the survey or inspection.

**ANSWER:**

8. State whether any investigations or other reports have been prepared, compiled, submitted or made by the complainant or complainant's agents or employees, or utilized by the complainant in any way in this action, and if so, as to each such investigation or report, state in detail:

- a. The identification of the documents, and attach a copy of all such reports;
- b. The name and address of each person to whom the investigation or report was addressed or directed;
- c. The purpose of such preparation of the investigation or report; and
- d. The name and address of each person having present custody or control of the investigation or report.

**ANSWER:**

9. State the names and addresses of all persons not previously mentioned who have personal knowledge of facts material to this case.

**ANSWER:**

10. Identify each and every writing, oral conversation, or other communication with, or in the presence of, any alleged representative of this defendant (including, but not limited to, any of its alleged agents, servants and/or employees) relating, directly or indirectly, to the subject matter of the complaint, setting forth for each such conversation and/or communication:

- a. The date of such conversation or other communication;
- b. The names and addresses of all persons in attendance or who have personal knowledge of such conversation or other communication;
- c. The substance of each such oral conversation or other communication; and
- d. The identity of and attach a copy of each such writing to your answer to this interrogatory.

ANSWER:

11. Identify each and every signed or recorded statement that you have obtained, setting forth for each such statement:

- a. The date that each such statement was obtained;
- b. The name and addresses of all persons from whom you have obtained such statement; and
- c. The name and address of each custodian of the statement, and attach a copy of any signed or recorded statement to your answer to this interrogatory.

ANSWER:

12. Identify each person whom you expect to call as an expert witness at the trial of the above-captioned action, and as to each such witness, state:

- a. The expert's name and age;
- b. The name and address of the expert's present employer, or if self-employed, the expert's occupation;
- c. The expert's educational background, specifying colleges attended, dates of attendance, degrees attained and post-graduate degrees attained, if any;
- d. The name and address of every person, firm or corporation where the expert was employed within the last ten (10) years, and a detailed description of the expert's duties at each such place of employment, of if the expert was self-employed, state specifically and in detail the description of the expert's duties and responsibilities; and
- e. Identify all asbestos-related cases in which the expert has testified as an expert witness, including the title and number of the case, the court in which the case was pending, and the part for whom the expert testified.

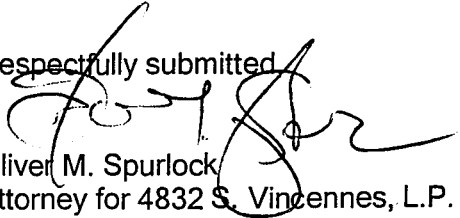
**ANSWER:**

13. With respect to the anticipated testimony of each person you expect to call as an expert witness at the trial of this matter, state:

- a. The subject matter on which the expert is expected to testify;
- b. The facts and opinions as to which the expert is expected to testify;
- c. A summary of the grounds for each such opinion;
- d. Whether the facts and opinions identified above are contained in a written report, memorandum or transcript, and if they are, produce the same, if you will do so without a Notice for Production of Documents;

ANSWER:

Respectfully submitted,

  
Oliver M. Spurlock  
Attorney for 4832 S. Vincennes, L.P.

Oliver M. Spurlock, #20931  
Attorney for 4832 S. Vincennes, L.P.  
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Chicago, Illinois 60619  
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