

**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

RED ROOSTER CORPORATION)
(f/k/a CLARK RETAIL ENTERPRISES,)
INC.) (CLARK OIL #2086),)

Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB No. 05-125

PCB No. 05-126

(UST Appeal)

(Consolidated)

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JUN 27 2005

STATE OF ILLINOIS
Pollution Control Board

NOTICE TO APPEAR AND PRODUCE

TO: John Kim
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on June 29, 2005, beginning at 10:00 a.m., at the Illinois Pollution Control Board hearing Room, Springfield, Illinois, Petitioner, RED ROOSTER CORPORATION, by Stephen F. Hedinger, its attorney, will appear before Carol Webb, hearing officer, at the above time and date, for hearing, at which time and place the following agents and employees of Respondent must appear for testimony and must produce the following certain described documents, pursuant to Supreme Court Rule 237(b) and 35 Ill. Adm. Code 101.100(b).

1. Douglas E. Oakley
Manager, LUST Claims Unit
Planning & Reporting Section
Bureau of Land

2. Jason Donnelly
Project Manager, LUST Section
Land Pollution Control
Bureau of Land

3. Harry A. Chappel
Unit Manager, LUST Claims Unit, LUST Section
Division of Remediation Management
Bureau of Land
4. Diana Gobelman
LUST Claims Unit
Planning & Reporting Section
Bureau of Land
5. Bill Richards
LUST Claims Unit
Planning and Reporting Section
Bureau of Land

YOU ARE HEREBY DIRECTED TO PRODUCE, at the same time and place and for purposes of inspection, copying, and questioning, the following documents:

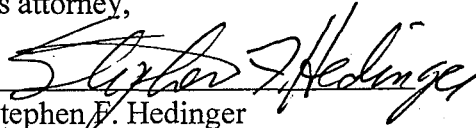
1. Any documents not already in the Record in this case which support, explain or justify the final decision expressed in your letter dated December 6, 2004.
2. Any documents not already in the Record in this case which support, explain or justify the final decision expressed in your letter dated December 30, 2004.
3. The originals of all documents included in the Record.
4. Any documents not already in the Record in this case which support, explain or justify the determination to disqualify payment as to items marked in handwriting "tech cut" on the June 25, 2004 letter from Craig S. Gocker to Doug Oakley, which is included in the Record in this case.
5. Any and all documents relating to the reimbursement decision reflected in the December 6, 2004 letter, including but not limited to notes, correspondence, memoranda, email messages, etc.

6. Any and all documents relating to the reimbursement decision reflected in the December 30, 2004 letter, including but not limited to notes, correspondence, memoranda, email messages, etc.

Respectfully submitted,

RED ROOSTER CORPORATION f/k/a
CLARK RETAIL ENTERPRISES, INC.
Petitioner,

By its attorney,

By: 
Stephen F. Hedinger

Hedinger Law Office
2601 South Fifth Street
Springfield, IL 62703
tel: (217)523-2753
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hedingerlaw@cityscape.net

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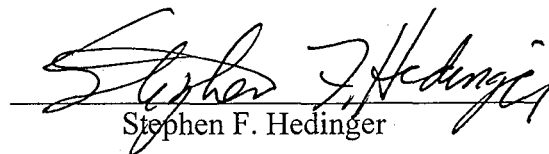
NOTICE OF FILING AND PROOF OF SERVICE

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

John J. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, IL 62794-9276

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East, P.O. Box 19274
Springfield, IL 62796-9274

The undersigned certifies that an original and nine copies of Petitioner's Notice to Appear and Produce was served upon the Clerk of the Illinois Pollution Control Board, and one copy was served upon the hearing officer in this case by enclosing same in envelopes with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mail Box in Springfield, Illinois, and one copy was served upon the above party of record in this case via hand-delivery at the above address, on the 22nd day of June, 2004.


Stephen F. Hedinger

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