

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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NOV 09 2006

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. )  
)  
DENNIS K. STIEGEMEIER, )  
d/b/a I.L.C. DEVELOPMENT, )  
)  
Respondent. )

PCB 06-77

NOTICE OF FILING

To: Mr. J. Richard Meno  
Denby, Meno, Bloomer & Denby  
P.O. Box 616  
Carlinville, IL 62626


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 MOTION FOR ORDER OF HEARING OFFICER ORDERING RESPONDENT TO PRODUCE DOCUMENTS REQUESTED BY ATTACHED REQUEST TO PRODUCE, copies of which are 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:   
DELBERT D. HASCHEMEYER  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: November 6, 2006

## CERTIFICATE OF SERVICE

I hereby certify that I did on November 6, 2006, 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 instruments entitled NOTICE OF FILING and MOTION FOR ORDER OF HEARING OFFICER ORDERING RESPONDENT TO PRODUCE DOCUMENTS REQUESTED BY ATTACHED REQUEST TO PRODUCE:

To: Mr. J. Richard Meno  
Denby, Meno, Bloomer & Denby  
P.O. Box 616  
Carlinville, IL 62626

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

To: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson 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 Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Springfield, IL 62794



DELBERT D. HASCHEMEYER  
Assistant Attorney General

This filing is submitted on recycled paper.

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PCB 06-77

**MOTION FOR ORDER OF HEARING OFFICER ORDERING  
RESPONDENT TO PRODUCE DOCUMENTS REQUESTED  
BY ATTACHED REQUEST TO PRODUCE**


NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to the Pollution Control Board's procedural rules 101.614 and 101.616, requests the Hearing Officer to order the Respondent, DENNIS K. STIEGEMEIER, to produce the documents requested by the attached Request to Produce ("Request") and in support thereof states:

1. The documents requested to be produced by the attached Request are all related to the financial position of Respondent.
2. The information being sought is relevant or may lead to relevant information concerning Respondent's resources and capacity to implement remediation matters to post a performance bond and ability to pay a penalty, all of which are factors the Board is directed to consider under Section 33(c) of the Illinois Environmental Protection Act.

WHEREFORE, for the reasons stated, Complainant respectfully requests the Hearing Officer order Respondent, DENNIS K. STIEGEMEIER, to produce the information requested within twenty-eight (28) days of the Hearing Officer's Order.

Respectfully submitted,

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

By:   
\_\_\_\_\_  
DELBERT D. HASCHEMEYER  
Assistant Attorney General

500 South Second Street  
Springfield, IL 62706  
(217) 782-9031  
Dated: 11/6/06

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 06-77
	)	
DENNIS K. STIEGEMEIER,	)	
d/b/a I.L.C. DEVELOPMENT,	)	
	)	
Respondent.	)	

**COMPLAINANT'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to the order of the Hearing Officer herein, hereby requests that the Respondent, DENNIS K. STIEGEMEIER produce by mail to the Office of the Illinois Attorney General, 500 South Second Street, Springfield, Illinois 62706, the following documents:

"Document" shall mean every writing and record of every type and description in the possession, control or custody of Petitioner, including, but not limited to, correspondence, memoranda, stenographic or handwritten notes, reports, manifests, bills of lading, contracts, studies, books, pamphlets, laboratory analyses, picture, voice recordings or computer records, and shall mean a copy where the original is not in control of Petitioner.

1. Copies of all incorporation papers for Illini Lumber Company, Inc., including, but not limited to, Articles of Incorporation, Constitution and By-Laws, policies or any other documents reflecting the creation and organization of Illini Lumber Company, Inc.

2. Copies of all financial statements prepared by or for Illini Lumber Company, Inc., I.L.C. Development and Dennis K. Stiegemeier, including, but not limited to, annual reports, balance sheets, and profit and loss statements for 2000 though the present.

3. Copies of all federal and state income tax returns filed by Illini Lumber Company, Inc., I.L.C. Development and Dennis K. Stiegemeier for 2000 through the present.

4. Copies of all the minutes for all of the meetings of the Board of Directors, or by the officers of Illini Lumber Company, Inc., since its incorporation.

5. Copies of all records showing the names of the owners or purchasers of any stocks issued by Illini Lumber Company, Inc., including, but not limited to, records showing the type of stock, par value, market or any other measure of the value of the stock and any transfer of stocks since the incorporation of Illini Lumber Company, Inc.

6. Copies of any records showing the payment of dividends to stockholders of Illini Lumber Company, Inc., since its incorporation.

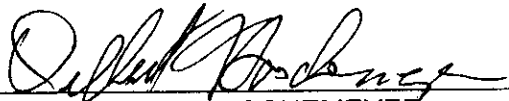
7. Copies of all records, including, but not limited to, bank statements or other financial institution statements for Illini Lumber Company, Inc., I.L.C. Development and Dennis K. Stiegemeier showing the balances on January 1, or some point in time proximate thereto, for 2001, 2002, 2003, 2004 and 2005 for any bank account or other type of financial or investment accounts.

8. Copies of all records identified in response to or providing information for responses to Interrogatory Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.

**WHEREFORE**, Complainant respectfully requests Respondent, Dennis K. Stiegemeier, d/b/a I.L.C. Development, produce the requested documents within 28 days.

Respectfully submitted,

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

By:   
\_\_\_\_\_  
DELBERT D. HASCHEMEYER  
Assistant Attorney General

500 South Second Street  
Springfield, IL 62706  
(217) 782-9031  
Dated: 11/6/06