

Exhibit 24

.

APPEARANCES: Cont'd

DAVID L. WENTWORTH, ESQUIRE
Hasselberg, Williams, Grebe, Snodgrass & Birdsall
124 Southwest Adams, Suite 300
Peoria, Illinois 61602
on behalf of Jean Roach;

ALSO PRESENT:

Royal Coulter, FDC;
Chris Coulter, FDC;
Matt Coulter, FDC;

I N D E X

WITNESS

JEAN ROACH

Examination by Mr. Mueller pg. 3

*EXHIBITS

IDENTIFIED

Roach Group Exhibit No. 86 pg. 26
Roach Exhibit No. e7 pg. 40
Roach Exhibit No. 88 pg. 43
Roach Exhibit No. 89 pg. 38

*Indicates exhibits were withdrawn by Petitioner's
counsel; not attached hereto.

1 JEAN MARIE ROACH,
2 a material witness herein, being duly sworn, was
3 examined and testified as follows:
4 EXAMINATION
5 BY MR. MUELLER:
6 Q Would you state your full name, please?
7 A Jean M. Roach, Marie Roach.
8 Q Is it okay if I call you Jean?
9 A Sure.
10 Q You're here today with your attorney
11 Mr. Wentworth?
12 A Yes.
13 Q Let the record show this is the discovery
14 deposition of Jean Roach taken pursuant to
15 subpoena, in accordance with rules and scheduled by
16 agreement of the parties.
17 Jean, what is your address?
18 A 837 East Highpoint Terrace, and that's in
19 Peoria. It's 61614.
20 Q How long have you lived at that address?
21 A Ten years.
22 Q Who do you reside there with?
23 A My husband.
24 Q His name is Elmo?

1 Q Do you ever post on any of the local blogs?
2 A No.
3 Q What is your educational background?
4 A Well, I'm originally from Wisconsin. I
5 graduated from high school in Wisconsin. Then I
6 spent a year at the University of Wisconsin at Osh
7 Kosh, transferred to Bradley where I earned my BA
8 and then my MA.
9 Q What is your master's in?
10 A I think it was secondary ed. It's so long
11 ago. I believe it was in secondary education. No.
12 It probably was in primary education now that I
13 think about it. I got the secondary as
14 undergraduate. So it was a primary, yes.
15 Q Are you employed at the present time?
16 A No.
17 Q When were you last employed outside the
18 home?
19 A I retired from teaching in 2003.
20 Q What was your last position in the teaching
21 profession?
22 A It was at Mossville Grade School teaching
23 sixth grade.
24 Q What does your husband do?

1 A Yes.
2 Q What is your telephone number?
3 A 692-0334.
4 Q Do you have a cell phone that you actively
5 use?
6 A Yes, I do.
7 Q What is that phone number?
8 A 696-3597.
9 Q Do you have an E-mail address that you
10 regularly use?
11 A Yes.
12 Q What is that?
13 A That's jeanroach, altogether,
14 jeanroach@hotmail.com.
15 Q Do you use any other E-mail accounts or
16 addresses?
17 A No.
18 Q Does your husband have a separate E-mail
19 account?
20 A No.
21 Q Does he use E-mail?
22 A Yes.
23 Q He uses also jeanroach@hotmail.com?
24 A Yes.

1 A He's retired.
2 Q What was his profession?
3 A He was a university professor in Russian
4 history and director of international programs.
5 Q At Bradley?
6 A At Bradley.
7 Q When did he retire?
8 A 2005, I believe it was. It's 2004, 2005.
9 I'm actually not sure.
10 Q Is he still doing any part-time things in
11 the nature of employment?
12 A No.
13 Q Are either of you licensed Realtors or
14 brokers?
15 A No.
16 Q What caused you to get involved in the
17 opposition to this landfill expansion?
18 A In January, I was reading my Sierra Club
19 newsletter and there was an article about it. I
20 began to do research, and I've just always been
21 pretty interested in the environment and also quite
22 interested in quality of life issues like air,
23 water, et cetera. So that's what -- that was the
24 impetus for me to get involved.

1 **Q I assume you are a member of the Sierra**
2 **Club?**
3 A Yes.
4 **Q Is your husband?**
5 A I think we have a joint membership.
6 **Q How long have you been members of the**
7 **Sierra Club?**
8 A You know, I don't know. I would say
9 probably for four or five years. I think more
10 since I've been retired I've been, you know,
11 looking at and deciding where I would like -- what
12 organizations I would like to support.
13 When I was teaching, I didn't really have
14 the time to do that.
15 **Q Jean, do you and your husband have any**
16 **adult children that live in the Peoria area?**
17 A No.
18 **Q Before the landfill expansion project**
19 **started, did you know Joyce Blumenshine?**
20 A No.
21 **Q So it would be fair to say that while you**
22 **were members of the Sierra Club it was pretty**
23 **nominal and inactive before all of this started?**
24 A Yes.

1 **Q Are you also a member of Peoria Families**
2 **Against Toxic Waste?**
3 A Yes.
4 **Q How did you come to join that group?**
5 A I believe that it was that maybe when I
6 contacted Joyce then there was -- it seemed to me
7 that they were working together. It all sort of
8 evolved.
9 I don't know if there was a moment where I
10 became a member of Peoria Families. It was that
11 we -- those who were concerned about the issue were
12 meeting, and I attended the meeting and I don't
13 even know at that point if I knew it was Families
14 or if it was Sierra Club.
15 But it was -- you know, both groups just
16 seemed to me to be working together.
17 **Q Where did those meetings take place at?**
18 A Panache, Lakeview Library were the two main
19 places that we met.
20 **Q Any at the Universalist Unitarian Church?**
21 A Not that I attended.
22 **Q Who was the leader of this opposition group**
23 **that as you say came together?**
24 A Well, I would say it was very much a joint

1 **Q After you read the newsletter from the**
2 **Sierra Club, who did you contact about further**
3 **involvement?**
4 A I think that I -- I might have contacted
5 Joyce. I'm actually not certain because then I
6 also -- there were friends that I spoke with about
7 the issue that knew something about the issue, and
8 it may have been them.
9 **Q Do you remember who those friends were that**
10 **you spoke to about the issue that knew about it?**
11 A It was some people at Bradley. It was some
12 friends at Bradley.
13 **Q Are any of those people that made public**
14 **comment at the hearing in this case?**
15 A I don't think so.
16 **Q Before the landfill expansion issue came to**
17 **your attention, did you have any special knowledge**
18 **about hazardous waste management or disposal or**
19 **about heavy metals, asbestos or other toxic**
20 **materials?**
21 A No.
22 **Q Do you have any family experience with**
23 **exposure to any toxic materials?**
24 A No.

1 effort, but if there was going to be a leader, I
2 suppose it was Kim Converse in the sense that she
3 sort of was coordinating things. I would say it
4 was very much a joint effort. We were just all
5 concerned about the issue.
6 **Q When you say you were all concerned about**
7 **the issue, can you tell me how many is represented**
8 **by the word all?**
9 A Be 15 or 20, but I would say the community
10 in general then. It became a group within the
11 community. So I think it would be hard to put a
12 number on that.
13 **Q How many people would attend these meetings**
14 **typically?**
15 A I would say 10 to 12, 10 to 12 people,
16 maybe 15.
17 **Q You're originally from Wisconsin. Do you**
18 **know Brad Stone?**
19 A Well, I know Brad but not because he's in
20 Wisconsin. He's gone to Wisconsin since then.
21 **Q When did he live in Peoria?**
22 A You know, I don't know other than he was
23 attending the meetings in January and in March, and
24 I'm not -- I really don't know.

1 Q Have you worked with him on any tasks
2 related to the activities of Peoria Families?
3 A Yes.
4 Q What specific tasks have you worked with
5 him on?
6 A Well, not specifically with Brad.
7 Q I'm talking about with Brad specifically.
8 A I don't know that I -- well, maybe with
9 Brad specifically in some of the things with the
10 IEPA.
11 Q What things has Peoria Families done with
12 the IEPA?
13 A Met with them, discussed concerns.
14 Q Is that a meeting that took place last
15 month?
16 A I don't think so. I was not in that
17 meeting. I did not attend that meeting.
18 Q Was there a prior meeting with the IEPA?
19 A Not that I know of.
20 Q You said you worked on the IEPA matters
21 with Brad Stone?
22 A Via the internet. Nothing personal. I
23 haven't seen Brad in -- I don't know.
24 Q Have you been to any IEPA meetings?

1 A Yes.
2 Q What board members did you talk with?
3 A On the telephone, Brian Meginnes -- I mean,
4 Brian Elsasser, excuse me, and Bob Baietto, Bill
5 Prather, Eldon Polhemus. I think that might be it.
6 Q I got out of that Prather, Baietto,
7 Polhemus and Elsasser.
8 A Maybe Widmer. I'm not certain whether I
9 spoke with him on the telephone or not.
10 Q Why those five or six?
11 A Well, Widmer is my representative. In the
12 case of Brian, the only phone conversation I had
13 with him is with the very first E-mail that I sent
14 to public comments or to all of the board members.
15 He responded by calling me to say that he
16 understood that it was an important issue and that
17 he would be looking at all of the evidence. It was
18 his phone contact with me.
19 In the case of Bill Prather because I spent
20 my career in Chillicothe and he's a Chillicothe --
21 he's been a county board member and Prather is sort
22 of a name in Chillicothe. Who else?
23 Q Well, when did you talk to Mr. Prather?
24 A I actually don't remember. Oh, I think I

1 A No, I have not.
2 Q Did you participate in preparation of any
3 materials submitted by Peoria Families to the IEPA?
4 A I did.
5 Q What materials were those?
6 A I in particular worked on the conclusion.
7 Q Did you work on a power point?
8 A No.
9 Q When you first started getting involved in
10 this process, did your husband get involved with
11 you?
12 A Not initially, but he did as it progressed.
13 Q Would it be fair to say that you got him
14 educated and then he got involved?
15 A I suppose.
16 Q Between the two of you, who was more
17 active? You or your husband?
18 A I don't know. Probably me.
19 Q Do you recall sending various E-mails to
20 the members of Peoria County Board?
21 A Yes.
22 Q Let's talk about contacts with the board.
23 First of all, did you ever talk to any county board
24 members by telephone?

1 spoke with him at a county board meeting. I'm
2 actually not certain. I think I might have tried
3 to call him. I'm not sure I actually made contact
4 with him. I do know I spoke with him once at a
5 county board meeting.
6 Q That leaves us with Baietto and Polhemus.
7 A And Polhemus because he wasn't at the first
8 vote, and so it was a contact to let him know
9 that -- hope he was looking at all of the evidence
10 because it was important to look at all sides of
11 this issue and Baietto is a -- I actually think he
12 was the principal at Richwoods High School when I
13 student taught there. From one fellow educator to
14 another.
15 Q All of these contacts took place between
16 November 9th, 2005, and May 3rd, 2006?
17 A Yes.
18 Q All of them were for the purpose of
19 expressing your view regarding the landfill
20 expansion?
21 A Expressing my view and directing them to
22 the evidence, to be sure to look at the evidence,
23 what had come out as part of the hearings, what had
24 come out as part of the -- was in the public

1 record.

2 **Q Directing them to specific evidence or just**
3 **to all the evidence?**

4 A I think sometimes specific -- well, but
5 it's a general thing. Health issues, the water,
6 those were the things that -- that was the evidence
7 that seemed particularly pertinent to me, the
8 aquifer issue and the health issues.

9 **Q You never called a board member to say, I'm**
10 **just calling to tell you to look closely at all the**
11 **evidence including Peoria Disposal Company's**
12 **evidence, did you?**

13 A Probably not. I don't think I probably
14 said look at --

15 **Q In fact, you made it clear that you were an**
16 **opponent of the siting?**

17 A Oh, yes.

18 **Q You would in these conversations direct**
19 **them to look at evidence that you felt justified a**
20 **denial of the expansion?**

21 A Yes. I would say primarily I did that.
22 yes.

23 **Q Mr. Polhemus would have been contacted**
24 **between April 6th and May 3rd?**

1 A I believe -- you know what. I think that
2 phone call was before because I think he told me he
3 wasn't certain whether he was going to come on
4 April 6th. I actually think it was prior to as
5 I'm thinking back on that conversation.

6 He was ill and he said that he hadn't been
7 to the board meetings, and he was ill and said he
8 didn't know whether he'd be up to coming on the
9 April 6th meeting. So I believe it was before
10 the April 6th meeting.

11 **Q Why would you have targeted him for a phone**
12 **call if you had no prior connection with him?**

13 A I don't know that I targeted him as much as
14 he seemed to be -- he's a Democrat and he -- there
15 didn't seem to be anybody in the group who was
16 necessarily from his district, and so just to give
17 him a look at the evidence kind of a conversation.

18 **Q Did you and the other members of the Peoria**
19 **Families group divide up county members for the**
20 **purpose of determining who was going to personally**
21 **contact whom?**

22 A I don't recall doing that.

23 **Q Well, was it one of the strategies of the**
24 **Peoria Families that all board members should be**

1 **personally contacted by members of Peoria Families?**

2 A I don't know about by members of Peoria
3 Family, but by members of the community, yes, that
4 we were -- wanted them to be contacted by members
5 of the community who felt strongly about the issue.
6 yes.

7 **Q Felt strongly meaning negatively?**

8 A Yes.

9 **Q Did you ever attend any county board**
10 **meetings in addition to the meetings at the ITOO**
11 **Hall?**

12 A Yes.

13 **Q Did you ever speak at any of those county**
14 **board meetings?**

15 A One.

16 **Q Which one?**

17 A I think it was the very first one when the
18 ground rules were laid for the -- for the expansion
19 process.

20 **Q Let's go to that subject then. A meeting**
21 **where you said there were ground rules discussed?**

22 A Yes.

23 **Q What was your understanding of what these**
24 **ground rules were?**

1 A That it was to be an open process and that
2 the community was -- that citizens were free to
3 speak with any and all of the board members on the
4 issue, that the board members were instructed not
5 to give a position, never to state their position,
6 that they were in the process of gathering
7 information and facts, but that at any time as
8 elected officials they could and should listen to
9 the constituents.

10 **Q This is what you learned at a county board**
11 **meeting that you attended?**

12 A Yes.

13 **Q Do you remember who the speaker was or**
14 **speakers were that communicated that understanding**
15 **to you?**

16 A Well, that was quite early in the process.
17 I don't know whether it was Mr. Brown or if it was
18 Kevin Lyons. Seemed to me it was an attorney, but
19 I'm not sure.

20 **Q Would it have been Mr. Atkins?**

21 A Maybe.

22 **Q Early in the process meaning --**

23 A Early in the process for me.

24 **Q Somewhere in January, in the**

1 **January-February area?**
2 A Yes.
3 **Q You didn't get involved until January?**
4 A Right.
5 **Q This meeting took place before the start of**
6 **the hearings at the ITOO Hall?**
7 A Yes.
8 **Q Did you have an understanding as to what**
9 **the county board members were to base their**
10 **decision on?**
11 A The facts as given to them as they came out
12 of the hearing and came out of public comment.
13 Anything that was put into the public record.
14 **Q Well, if they were to base their decision**
15 **on the facts, what in your mind was the point of**
16 **them being contacted outside of the hearing process**
17 **by members of the public?**
18 A Just to reinforce the information that was
19 coming out in the public hearing and the public
20 comment. There was a lot of information and I felt
21 it was important to -- you know, they were being
22 bombarded with information. It was important to
23 reiterate for them.
24 **Q So your understanding of the rules was that**

1 **of things in the record?**
2 A I didn't do that.
3 **Q Would that have been appropriate, though,**
4 **had you done it?**
5 A Don't know. I didn't do it. So --
6 **Q Have you talked to either Kim Converse or**
7 **Joyce Blumenshine since their depositions?**
8 A I spoke with Joyce.
9 **Q When was that?**
10 A On Tuesday.
11 **Q Who else have you discussed the deposition**
12 **process with besides Mr. Brown or Mr. Wentworth?**
13 A My husband.
14 **Q Anyone else?**
15 A No.
16 **Q What you tell your husband is privileged.**
17 **Did you tell -- did you ever have any other**
18 **personal contacts during the process with county**
19 **board members besides telephone conversations?**
20 A Could you repeat -- could you maybe clarify
21 what you're asking?
22 **Q Well, did you meet with any of them?**
23 A No.
24 **Q Did you ever go to any board members'**

1 **contact with board members outside the hearing**
2 **process was appropriate as long as it was limited**
3 **to discussion of material in the record?**
4 A Yes.
5 **Q And by discussion of material in the**
6 **record, you felt it was fair to point them towards**
7 **certain material, correct?**
8 A Yes. I think they were more general
9 conversations, look at the health aspect, look at
10 it's over the aquifer.
11 **Q You pointed them to looking at the fact it**
12 **was over the aquifer, right?**
13 A (Witness nodding head up and down.)
14 **Q Whether or not that's a true fact, you**
15 **pointed them there?**
16 A Yes. It was my understanding it was --
17 **Q Did you feel it was fair to comment on the**
18 **credibility of things in the record as in so and**
19 **so's statement wasn't believable but somebody**
20 **else's we believe was believable?**
21 A I didn't have those kinds of conversations.
22 **Q But did you feel that it would have been**
23 **appropriate in addition to pinning them to things**
24 **in the record to analyze or give them your analysis**

1 **homes?**
2 A No.
3 **Q Did you distribute materials on a**
4 **door-to-door basis?**
5 A Yes.
6 **Q Did any of those doors happen to belong to**
7 **county board members?**
8 A No.
9 **Q Were you involved in editing or selecting**
10 **content for placement on the Peoria Families**
11 **website?**
12 A No.
13 **Q Who ran the website, to your knowledge?**
14 A I think Ted Converse.
15 **Q Who was the fact checker for Peoria**
16 **Families publications?**
17 A I don't know if we had a fact checker.
18 **Q Well, when you guys would, you know, issue**
19 **a flier or a leaflet, was there someone designated**
20 **to make sure that those things were true and**
21 **accurate?**
22 A Oh, yes. I think -- I think as a group we
23 did that. I don't know that there was a designated
24 person. I think there were a lot of, you know,

1 just discussions about, all right, where do we get
2 this information, how should we state this.
3 **Q Did you have any conversations with any**
4 **board members at county board meetings or before or**
5 **after county board meetings?**
6 A Yes.
7 **Q What board members would you have talked to**
8 **before, during or after county board meetings?**
9 A Pat Hidden, Allen Mayer, Bob Baietto and
10 Bill Prather.
11 **Q What was the purpose of those**
12 **conversations?**
13 A Say thanks for your vote, to draw their
14 attention to something that was -- had been
15 mentioned in the meeting.
16 **Q Did anyone ever tell you that you were not**
17 **supposed to draw county board members' attention to**
18 **evidence that you thought was particularly relevant**
19 **or important?**
20 A No.
21 **Q How many such conversations would you have**
22 **had before, during or after meetings with various**
23 **board members in total?**
24 A I think those -- I think Baietto was that

1 A No.
2 **Q What was your understanding of what ground**
3 **rules during the hearing process applied to Peoria**
4 **Disposal Company and its representatives?**
5 A The same ground rules as the ground rules
6 that we had.
7 **Q That we were also free to talk to county**
8 **board members and direct their attention to certain**
9 **parts of the evidence that we thought were -- was**
10 **important?**
11 A Yes.
12 **Q Do you know whether any of that happened?**
13 A I assumed so.
14 **Q Other than assuming, do you have any**
15 **knowledge that any of that happened?**
16 A I have knowledge of a phone call from
17 Mr. Meginnis to Mr. Elsasser which was -- which was
18 supposed to have been a threat that he'll never
19 hold another republican position if he votes the
20 way that he does.
21 **Q How did you get that knowledge about this**
22 **phone call?**
23 A I believe it was Kim Converse.
24 **Q How did she get her knowledge?**

1 very first meeting when the ground rules were laid.
2 Then those other three were after the vote on
3 April 6th. That's it.
4 **Q Do you remember a meeting of the Peoria**
5 **Families group where Kim Converse talked about the**
6 **ground rules and took the position that they were**
7 **undemocratic and unfair?**
8 A No.
9 **Q Did you regularly monitor the Peoria**
10 **Families website?**
11 A I don't know about regularly monitor.
12 Looked at it periodically.
13 **Q Did Tom Edwards ever attend any of your**
14 **meetings?**
15 A Yes.
16 **Q How many of those?**
17 A I don't know, a couple. I would say a
18 couple.
19 **Q Do you consider him a member of Peoria**
20 **Families Against Toxic Waste?**
21 A I don't think he considered himself a
22 member of them.
23 **Q Did you ever go any meetings of Citizens**
24 **For Our Environment?**

1 A I don't know.
2 **Q So you heard it from someone who heard it**
3 **from someone?**
4 A Probably.
5 **Q Any other even secondhand knowledge of**
6 **contact between a PDC representative and a board**
7 **member while the process was going on?**
8 A Not that I know of, no. I just assumed it
9 was going -- it was taking place.
10 **Q You didn't have a factual basis for your**
11 **assumption, though, did you?**
12 A No.
13 **Q Let me show you what has been marked as**
14 **Exhibit 76 and -- 86, excuse me, and this is a**
15 **group exhibit, and we'll send you and Mr. Wentworth**
16 **a copy and ask you if these are true and correct**
17 **copies of E-mails that you sent. Take your time.**
18 A (Witness perusing documents.) Yes.
19 **Q Those are all true and correct?**
20 A Yes.
21 **Q Generally, how many E-mails did you send to**
22 **board members?**
23 A I kind of think that's it.
24 **Q This might be the sum and substance of**

1 them?
2 A I would say it probably is.
3 Q If I can direct you to item C in this
4 exhibit, I was looking through this one which I
5 just sort of randomly picked out and wanted to see
6 if there's anything in there about pay particular
7 attention to the evidence and make your decision on
8 the facts, and what I found instead is language
9 that says, I believe you must vote no on the
10 expansion of the PDC hazardous waste dump.
11 Am I misreading this E-mail?
12 A No, I said that.
13 Q At the end of it you say, PDC's business
14 interests are not worth gambling with the lives of
15 children. Please vote no. Right?
16 A Yes.
17 Q In fact, in this entire E-mail, the word
18 evidence does not appear, does it?
19 A No.
20 Q The word fact does not appear, does it?
21 A No, but there is information about fire and
22 that whole issue came up in the public hearing, was
23 part of the public record.
24 Q I understand there are assertions by you in

1 Q Well, this doesn't say I'm concerned about
2 fire and children and want you to think about that.
3 It says, I want you to vote no based on my
4 concern, right?
5 A Yes.
6 Q I mean, you had concluded in your own mind
7 before you wrote the E-mail that the PDC expansion
8 with regard to the fire and children issues raised
9 in this E-mail was a bad thing?
10 A Yes.
11 Q What did you want board members to do with
12 that information?
13 A I wanted them to look at the risks involved
14 with granting an expansion.
15 Q Does it say in this E-mail look at the
16 risks involved or did it say please vote no?
17 A I think it says look at the risks by the
18 comment there is very real danger of fire due to
19 gases from this site and adjacent sites as
20 established from the testimony by experts --
21 Q Does it say look at the risks, Ms. Roach?
22 A I didn't word it --
23 Q So county board members would have had to
24 read your mind that you really didn't want them to

1 the E-mail, but the word -- neither the word fact
2 nor evidence appears, correct?
3 A Correct.
4 Q Wouldn't it be fair to say that this E-mail
5 was intended to convey your very strong desire that
6 board members who read it and receive it vote no on
7 the application?
8 A Yes.
9 Q And you hoped obviously in spending the
10 time to write this that board members would
11 consider that in making their decision?
12 A I don't know about consider. Consider it
13 among the evidence, yes. One more piece of, one
14 more view on the part of the constituent who would
15 be affected by that expansion.
16 Q So the answer is you did want them to
17 consider your desire along with everything else
18 they were supposed to consider?
19 A I'm not sure what you're getting at.
20 Q What was your purpose in writing this
21 E-mail then?
22 A To let them know that I was very concerned
23 about the possibility of fire and of children close
24 to the site.

1 vote no, you wanted them to look at the risks,
2 correct?
3 MR. WENTWORTH: I'm going to object to
4 that one. That's so far speculation that I don't
5 think it's capable of even being answered.
6 MR. MUELLER: I will withdraw it.
7 BY MR. MUELLER:
8 Q During this process, did you ever talk with
9 Carol Trumpe?
10 A I don't recall if I did. I did tell her
11 thank you after the vote. I don't recall if I did
12 any other time.
13 Q Which vote would it be that you told her
14 thank you after? The April vote or the May vote?
15 A I actually think it was both.
16 Q Do you have a personal relationship with
17 Carol Trumpe?
18 A No.
19 Q She's not a friend of yours?
20 A No.
21 Q Is she an acquaintance?
22 A No.
23 Q Do you remember appearing at a Peoria
24 Association Of Realtors meeting with your husband?

1 A Yes.
2 **Q When was that meeting?**
3 A The end of March sometime.
4 **Q March 27th?**
5 A Could be.
6 **Q Now, you've already told me that neither**
7 **you nor your husband are Realtors, correct?**
8 A Correct.
9 **Q How is it that you came to appear at that**
10 **meeting?**
11 A Via phone calls with the Peoria Area
12 Realtors, their association, to ask them to -- as
13 it was part of the education effort that we were
14 involved in to ask them to look at possible real
15 estate ramifications, economic ramifications.
16 **Q Who had initiated that contact with the**
17 **Realtors Association? You or the Realtors**
18 **Association?**
19 A I did.
20 **Q Is there any particular reason why that**
21 **duty fell to you as opposed to some other member of**
22 **Peoria Families?**
23 A I think it might have been -- I think there
24 was just discussions, and it might have been my

1 **isn't that correct?**
2 A Other, sure.
3 **Q So the answer is you cannot point me to a**
4 **single source on -- that corroborates your**
5 **conclusion that proximity to landfills negatively**
6 **impacts real estate values?**
7 MR. WENTWORTH: I think she already
8 answered that, George.
9 THE WITNESS: I can't do that here.
10 BY MR. MUELLER:
11 **Q Following up with the Realtors, you**
12 **contacted them, and how did that get to the point**
13 **of your appearing at a meeting of the Peoria**
14 **Association Of Realtors?**
15 A Because I requested that we would like to
16 speak. It was a community issue. Realtors are
17 involved with their community and a very important
18 part of their work and that this was a community
19 issue and that I'd like to speak with them about
20 it.
21 **Q Who are you talking about at the Realtors**
22 **Association?**
23 A Dallas -- I don't know what her last name
24 is.

1 idea that it seemed appropriate to contact them.
2 **Q Was the gist of your initial contact to the**
3 **Realtor Association in the nature of are you aware**
4 **that the expansion of this dump is likely to reduce**
5 **property values?**
6 A I would say that, yes.
7 **Q Now, you didn't have any evidence that**
8 **property values would be reduced, did you?**
9 A Actually, quite a lot. There's quite a lot
10 written on the -- on the internet and there's lots
11 of sources of real estate magazines that there is
12 evidence that that is a reality across the country.
13 **Q Can you direct me to even a single,**
14 **specific source which confirms what you call that**
15 **reality?**
16 A I can't here. I mean, if I had the
17 internet and I had my notes and my information, I
18 could. I can't do it here. I don't have anything
19 here.
20 **Q Do you deem the internet to be an**
21 **authoritative source of information?**
22 A It can be.
23 **Q It can also be a source of lies and**
24 **exaggeration as we learned in another deposition,**

1 **Q Did she indicate to you that they would**
2 **give you an opportunity to speak?**
3 A Yes. She did along with the PIDC. It would
4 be an even-handed, that both sides would be aired
5 for the local Realtors.
6 **Q Now, on that occasion, March 27th, when**
7 **that occurred who spoke? You or your husband?**
8 A My husband did most of the speaking.
9 **Q You did a little bit of it?**
10 A Yes.
11 **Q Would you characterize your husband's**
12 **manner at that meeting as being hostile?**
13 A No.
14 **Q Would you characterize his manner as being**
15 **confrontational?**
16 A No.
17 **Q Did he ever during his presentation come**
18 **into close, physical proximity to members of the**
19 **Coulter family for the purpose of emphasizing a**
20 **point that he might have been making?**
21 A Don't recall that. I don't think so.
22 **Q I mean, as you heard it, was there anything**
23 **rude or unprofessional in your husband's**
24 **presentation?**

1 A I would characterize it as strong, as very
2 strong. I wouldn't characterize it as rude.
3 **Q Well, strong as in eloquent, persuasive**
4 **speaking --**
5 A Yes.
6 **Q -- or strong as in combative?**
7 A Strong as in the first instance.
8 **Q Did you ever call Doug Stewart regarding**
9 **his position on the landfill expansion?**
10 A I'm not sure I know who Doug Stewart is.
11 **Q Did you ever call any representatives of**
12 **National City Bank regarding the bank's position on**
13 **the expansion?**
14 A Yes.
15 **Q What was the purpose of that call?**
16 A To let them know that as -- I bank at
17 National City and that I was disappointed with
18 his -- actually, I think it was more to ask why he
19 would have written something in support of the
20 landfill and to express to him my disappointment as
21 a -- with his support of the landfill.
22 **Q Did you threaten to take your business to**
23 **any other banks?**
24 A No.

1 **members to vote no?**
2 A No. I would say the purpose was for them
3 to become informed about this was an important
4 issue before the community and to become educated
5 about it and then to contact board members based on
6 their view.
7 **Q Well, wasn't it a constant theme in the**
8 **written materials issued by Peoria Families and on**
9 **their website that members of the general public**
10 **should contact their board representatives and urge**
11 **them to vote no?**
12 A Yes.
13 **Q And you participated in that on an active**
14 **and organized basis, correct?**
15 A Active. I'm not sure what you mean by
16 organized.
17 **Q Did you go door to door distributing**
18 **leaflets that contained that material?**
19 A Yes.
20 MR. MUELLER: We're going to take a
21 couple minutes. We may be close to being finished.
22 (Recess from 12:00 to 12:05)
23 BY MR. MUELLER:
24 **Q Jean, did you write an article to the -- or**

1 **Q Did you imply that the bank's ongoing**
2 **support of the landfill would maybe cause you to**
3 **look at other banking alternatives?**
4 A I don't think so.
5 **Q Did you participate in contacts with**
6 **educational institutions regarding the landfill?**
7 A For instance?
8 **Q Presentations to schools?**
9 A No.
10 **Q Getting information to schools or school**
11 **children?**
12 A No.
13 **Q Did you contact any schools regarding your**
14 **opposition while the hearing process was going on?**
15 A No.
16 **Q Did you contact any homeowners associations**
17 **regarding the proposed expansion?**
18 A Yes.
19 **Q Which ones?**
20 A Mine which is the Highpoint Homeowners;
21 and, actually, I think that's the only one I did.
22 He contacted Edgewild, our homeowners association.
23 **Q Was one of the purposes of that contact to**
24 **encourage those people to contact their board**

1 **letter to the Peoria Journal Star that was**
2 **published on February 26th, 2006?**
3 A If I could look at it. I did write to the
4 Peoria Journal Star. So maybe I need to look at
5 it.
6 **Q (Exhibiting document.)**
7 A Yes. I wrote this.
8 **Q Did you include the copyrighted PDC logo**
9 **with your letter or was that inserted by the**
10 **Journal Star?**
11 A It must have been inserted by the Journal
12 Star. I did not do that. I sent -- I believe I
13 sent this E-mail. I'm not that computer literate.
14 I couldn't have done it.
15 **Q Let me show you what we have marked as**
16 **Exhibit 89 and ask you to look at that and tell us**
17 **if that is a true and correct copy of an E-mail**
18 **that you wrote on or about April 6th.**
19 A Yes.
20 **Q Who was the E-mail to?**
21 A To Bob Baietto.
22 **Q In that statement or in that E-mail, you**
23 **state that Patrick Engineering has a conflict of**
24 **interest?**

1 A I state it's a possibility.
2 **Q Was that a fact?**
3 A Possibility and stated why. It's in the
4 same business as PDC, building and maintaining
5 landfills.
6 **Q Can you give me a single piece of factual**
7 **information that supports your assertion that**
8 **Patrick Engineering had a conflict of interest in**
9 **advising the county in this process?**
10 A No.
11 **Q So that assertion by you really would be**
12 **beyond information that was in the record, correct?**
13 A I don't think I saw this as beyond
14 information in the record.
15 **Q Well, the only information in the record**
16 **was that Patrick Engineering was a professional**
17 **consultant for the county in the process.**
18 **How do we get from there to Patrick**
19 **Engineering had a conflict of interest?**
20 A Because they're in the same business as
21 PDC.
22 **Q I'm in the same business as Mr. Wentworth.**
23 **I don't think that gives him a conflict of interest**
24 **in representing you today, does it?**

1 A No.
2 **Q Would it be fair to say that by**
3 **April 6th at least the comments and**
4 **communications with and to board members had**
5 **expanded beyond pointing to items in the record to**
6 **now editorializing about what you think various**
7 **information meant and signified?**
8 A No. I don't think --
9 MR. WENTWORTH: Objection.
10 MR. MUELLER: She answered the
11 question.
12 MR. WENTWORTH: But you just said
13 plural, and we're only looking at one here.
14 MR. MUELLER: That's fine. She
15 answered the question.
16 BY MR. MUELLER:
17 **Q Let's look at Exhibit 90. Strike the**
18 **reference to 90.**
19 **Let me show you 87 and 88 -- well,**
20 **87 first. Can you tell me what this represents?**
21 A This was the very first E-mail I believe I
22 sent to all the county board members.
23 **Q Well, I'm seeing a reference here, I sent**
24 **this message 10 days ago and have received no**

1 **response, response in all capitals.**
2 A Oh, yes, I sent the original. Then I
3 heard from no one. I sent the follow-up that I
4 have received no response.
5 **Q This basically is an E-mail that demands to**
6 **know county board members' position on the landfill**
7 **expansion.**
8 A It demands to know what they -- what is
9 their position in terms of looking at both sides of
10 the issue.
11 **Q I don't see the reference to both sides of**
12 **the issue, those words anywhere in these E-mails.**
13 **Can you point me to that? Maybe I missed**
14 **it.**
15 A It doesn't specifically say that. That was
16 my intent.
17 **Q What is your position on this expansion,**
18 **that's what you wrote, right?**
19 A Yes.
20 **Q In fact, let's read the whole sentence**
21 **here, I sent this message 10 days ago and have**
22 **received no response, response being all in caps.**
23 **Are you elected officials who have a responsibility**
24 **to your constituents? What is your position on the**

1 **expansion?**
2 **That's what you wrote.**
3 MR. WENTWORTH: Do you understand the
4 question?
5 THE WITNESS: I'm not sure.
6 BY MR. MUELLER:
7 **Q You wrote that, what I just read into the**
8 **record, didn't you?**
9 A Yes. I'm looking at this date and this was
10 before the ground rules had been stated at the
11 county board meeting, and so my guess is that my
12 language is that way because I didn't understand at
13 that point that the board members were not allowed
14 to give their position.
15 It was at the subsequent board meeting
16 which was sometime in February that then the ground
17 rules were established, and so I understood that
18 basically that's why nobody had responded to this.
19 **Q Did anyone respond -- Mr. Widmer apparently**
20 **responded to your E-mail of January 30th, though,**
21 **didn't he?**
22 A Yes, he did.
23 **Q Did anyone else respond to that E-mail?**
24 A There was one other one. Who was it? Oh,

1 Jeff Joyce.
2 **Q Let me show you Exhibit 88 and ask you if**
3 **that represents Joyce's response.**

4 A Yes, it does.

5 **Q Now, is this the two E-mails -- the string**
6 **of E-mails, the January 21st and January**
7 **30th one, which Mr. Elsasser responded to by**
8 **telephone?**

9 A It is.

10 **Q Are you a member of River Rescue?**

11 A No.

12 **Q You are a member of the Moss-Bradley**
13 **Homeowners Association?**

14 A No.

15 **Q Have you ever spoken with Jim Thomas?**

16 A Yes.

17 **Q When?**

18 A At a Democratic dinner in May. I think it
19 was in May.

20 **Q Before or after the vote?**

21 A It was after the vote.

22 **Q Did you ever speak to him before that time?**

23 A No.

24 **Q Are you active in Democratic politics?**

1 A Somewhat, yes.

2 **Q Are you a committee person or have any**
3 **official role in the party?**

4 A No.

5 **Q Do you serve on any committees such as**
6 **nominating committees?**

7 A No.

8 **Q Have you ever spoken to Mike Phelan?**

9 A I don't believe so.

10 **Q Have you ever E-mailed Mike Phelan other**
11 **than the E-mails that we have already identified?**

12 A No, I don't believe so.

13 **Q Now, when I say speak with, I mean in**
14 **person at any location or on the telephone. Have**
15 **you ever spoken with Lynn Scott Pearson?**

16 A Yes.

17 **Q When?**

18 A I believe it was after the first vote.

19 **Q Where would that conversation have taken**
20 **place?**

21 A I believe that was on the telephone.

22 **Q The first vote being the April 6th vote,**
23 **correct?**

24 A Yes.

1 **Q Did you call her?**

2 A Yes.

3 **Q What was the purpose of your call?**

4 A To tell her that I was ashamed that my
5 representative would have written racist remarks in
6 the blog and that in no way represented my views as
7 somebody in District 11.

8 **Q What racist remarks are you making**
9 **reference to?**

10 A Merle Widmer's blog site.

11 **Q That conversation happened before the May**
12 **meeting, correct?**

13 A Yes.

14 **Q Did Lynn Scott Pearson know that you were**
15 **an opponent of the landfill expansion?**

16 A I don't think so, but I don't know.

17 **Q Well, you had spoken at the public**
18 **hearings, hadn't you?**

19 A No.

20 **Q You had spoken at a county board meeting,**
21 **though?**

22 A One county board meeting, yes, the very
23 first one.

24 **Q You had sent previous E-mails to Lynn Scott**

1 **Pearson urging her to vote no, hadn't you?**

2 A The ones that I sent to everybody, but,
3 yes.

4 **Q Assuming she's of average intelligence, she**
5 **would have known if she read your E-mails if you**
6 **were an opponent to the landfill?**

7 A She could have. She has a lot of people
8 that contact her, too. I don't believe that I was
9 anybody special to her.

10 **Q Well, were there a lot of other Peoria**
11 **Families people that were contacting her, to your**
12 **knowledge?**

13 A I don't know.

14 **Q Was it organized effort to have Peoria**
15 **Families members deluge board members with E-mails**
16 **or phone calls?**

17 A No, I don't think so.

18 **Q If I take the word deluge out of that**
19 **question and substitute it with contact, would it**
20 **then be a fair statement?**

21 A Do you want to repeat the --

22 **Q Was it an organized effort on the part of**
23 **Peoria Families to have their members and the**
24 **public contact board members with their views and**

1 opinions?
 2 A Yes.
 3 Q Have you ever spoke within Junior Watkins?
 4 A Yes.
 5 Q When was that?
 6 A I believe it was sometime between the two
 7 votes.
 8 Q What was the purpose of that call?
 9 A To tell him thank you.
 10 Q Did you also apologize to him for what you
 11 believed to be Mr. Widmer's racist remarks?
 12 A Probably.
 13 Q Did you speak with Mr. Watkins at any other
 14 time other than that phone conversation?
 15 A I don't believe so.
 16 Q I take it that was by phone, right?
 17 A I believe it was, yes.
 18 Q Did you ever speak with Phil Salzer?
 19 A No. I don't believe so.
 20 Q Well, from one educator to another, did you
 21 ever try to communicate with him?
 22 A I don't know. I don't know that I did. I
 23 don't really recall.
 24 Q What about Allen Mayer? Have you ever

1 Democrat to offer my support in his reelection
 2 campaign. So sometime in the last few weeks.
 3 Q Did you ever speak to him before May 3rd,
 4 2006?
 5 A Not that I know of, no. I don't think so.
 6 Q Did you ever speak with Jeff Joyce?
 7 A Yes.
 8 Q When?
 9 A Probably it was after the vote to say
 10 thanks.
 11 Q Well, probably or do you recall doing it?
 12 A Actually I recall his -- at a theater
 13 production that his children were in seeing him
 14 there and telling him thanks then. His children
 15 were in a performance at Peoria Players, and I saw
 16 him and recognized him and told him thanks for his
 17 vote.
 18 Q Was that before or after May 3rd?
 19 A You know, I don't know. It was whenever
 20 Cats was at Peoria Players.
 21 Q One of my favorite musicals.
 22 A Yeah, it's wonderful.
 23 Q Do you know Dr. Rodney Lorenz?
 24 A No, I do not.

1 spoken with him?
 2 A To tell him thank you.
 3 Q When was that?
 4 A After the first vote.
 5 Q On the phone or in person?
 6 A In person.
 7 Q Where?
 8 A At the ITOO.
 9 Q The actual night of the first vote you
 10 spoke with him?
 11 A Yes.
 12 Q Mr. Watkins, did you speak with him in
 13 person or by telephone?
 14 A I believe it was by telephone.
 15 Q Did you ever speak with Dave Williams?
 16 A I really don't recall. I might have gone
 17 up -- there was a lot of them after that first
 18 vote, and I may have gone up and said thank you.
 19 Q Did you ever call him on the telephone?
 20 A Not that I recall.
 21 Q Did you ever speak with Tom O'Neill?
 22 A Yes.
 23 Q When?
 24 A Actually, rather recently to -- as a

1 Q I assume you know John McLean?
 2 A Yes.
 3 Q Was he a regular attendee of Peoria
 4 Families meetings?
 5 A No.
 6 Q Did he attend some of those meetings?
 7 A I don't think so.
 8 Q Do you know who the principal financial
 9 benefactors were of the Peoria Families group?
 10 A No.
 11 Q Did you contribute to the effort other than
 12 your time?
 13 A Yes.
 14 Q What was the amount of your contribution?
 15 A Probably somewhere between 1,000 and
 16 \$1,500.
 17 Q That would put you in the category of true
 18 believer, I assume?
 19 A Well, I believe you put your money where
 20 your beliefs are.
 21 Q Do you know Dr. Vidas?
 22 A No.
 23 Q Do you know Dr. Zwicky?
 24 A No.

1 Q Do you know Dr. Parker McRae?
2 A No.
3 Q Do you know Dr. Steven Smith?
4 A No.
5 Q Do you know Dr. McGee?
6 A No.
7 Q Then I'm going to guess that you were not
8 involved in the Peoria Families effort to get the
9 medical community to support them, that other
10 people would have done that?
11 A Yes.
12 Q My statement's correct?
13 A Yes. Your statement is correct.
14 Q Do you know Beth or Jeff Akeson?
15 A I know who they are.
16 Q Obviously, you know Tessie Bucklar because
17 she was an active member of Peoria Families?
18 A I know Tessie.
19 Q Was her husband Tom also an active member?
20 A I would say no.
21 Q Was he involved in any way in getting the
22 speaking engagement with the Association Of
23 Realtors?
24 A Not that I know of.

1 Q You know all of the Converses, I presume?
2 A Yes.
3 Q Did any -- do you know whether Converse
4 Marketing did supply printing and other similar
5 services to the Peoria Families group?
6 A I don't think so, but I don't know.
7 Q Do you know Bill Cook?
8 A Well, I know of him. I've met him.
9 Q In connection with this expansion proposal?
10 A Yes.
11 Q Where was that? Just at the hearing or at
12 a meeting?
13 A I think the time I met him was at a press
14 conference that we had at the Unitarian Church.
15 Q Was that before or after the
16 May 3rd vote?
17 A Oh, before.
18 Q Do you consider him a member of Peoria
19 Families?
20 A I don't know.
21 Q Did he ever come to any of your meetings
22 other than the press conference?
23 A None that I attended.
24 Q Do you know Joyce Harant?

1 A Yes.
2 Q How do you know her?
3 A Well, I mean, I know the name because she's
4 president of Planned Parenthood and she seemed to
5 sort of join the effort. So she has attended some
6 meetings.
7 Q Do you know Mary Harkrader?
8 A I know of her, and I have met her at
9 Democratic party functions.
10 Q Do you know Lisa Offutt or Peter Offutt?
11 A Yes.
12 Q How do you know them?
13 A They attended meetings.
14 Q They're Peoria Families people?
15 A I assume so, yes.
16 Q Do you know Chris Ozuna-Thornton?
17 A I do not.
18 Q Do you know Bill Scott?
19 A No.
20 Q Do you know Diane Storey?
21 A I know who she is.
22 Q Did she attend any of your meetings?
23 A Not that I know of.
24 Q Do you know Mayvis Young?

1 A Yes.
2 Q What's your relationship with her?
3 A I saw her at county board meetings and at
4 different functions, not at meetings.
5 Q Did she ever attend -- you just answered my
6 question.
7 A No.
8 Q Do you know Barb Van Auken?
9 A No, I do not. I mean, I know of her
10 because of her political work.
11 MR. MUELLER: I think we're done.
12 Thank you very much.
13
14 (Further deponent saith not.)
15
16
17
18
19
20
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24

<p style="text-align: center;">A</p> <p>Aana 1:10 56:3.21 about 5:13 6:19 8:2 8:6.7.10.10.18.19 9:11 10:5.6 11:7 12:22 17:2.5 23:1 24:5.11 25:21 27:6.21 28:12.23 29:1.2 33:19.21 37:3.5 38:18 40:6 47:24 accordance 3:15 account 4:19 accounts 4:15 accurate 22:21 acquaintance 30:21 across 32:12 active 12:17 37:13 37:15 43:24 51:17 51:19 actively 4:4 activities 11:2 actual 48:9 actually 6:9 8:5 13:24 14:2.3.11 16:4 30:15 32:9 35:18 36:21 48:24 49:12 Adams 2:3 addition 17:10 20:23 address 3:17.20 4:9 addresses 4:16 adjacent 29:19 adult 7:16 advising 39:9 affected 28:15 affix 56:17 aforsaid 55:9.11 56:9.11 after 8:1 23:5.8.22</p>	<p>24:2 30:11.14 43:20.21 44:18 48:4.17 49:9.18 52:15 afterwards 56:10 again 55:10 Against 9:2 24:20 ago 5:11 40:24 41:21 agreement 3:16 air 6:22 aired 34:4 Akeson 51:14 Allen 23:9 47:24 allowed 42:13 along 28:17 34:3 already 31:6 33:7 44:11 alternatives 36:3 altogether 4:13 always 6:20 among 28:13 amount 50:14 analysis 20:24 analyze 20:24 another 14:14 25:19 32:24 47:20 answer 28:16 33:3 answered 30:5 33:8 40:10.15 54:5 anybody 16:15 46:9 anyone 21:14 23:16 42:19.23 anything 19:13 27:6 32:18 34:22 anywhere 41:12 apologize 47:10 apparently 42:19 appear 27:18.20 31:9 APPEARANCES 1:15 2:1</p>	<p>appeared 56:4 appearing 30:23 33:13 appears 28:2 application 28:7 applied 25:3 appropriate 20:2 20:23 21:3 32:1 April 15:24 16:4.9 16:10 24:3 30:14 38:18 40:3 44:22 aquifer 15:8 20:10 20:12 area 7:16 19:1 31:11 article 6:19 37:24 asbestos 8:19 ashamed 45:4 asking 21:21 aspect 20:9 assertion 39:7.11 assertions 27:24 association 30:24 31:12.17.18 32:3 33:14.22 36:22 43:13 51:22 associations 36:16 assume 7:1 50:1.18 53:15 assumed 25:13 26:8 assuming 25:14 46:4 assumption 26:11 Atkins 18:20 attached 2:23 attend 10:13 11:17 17:9 24:13 50:6 53:22 54:5 attended 9:12.21 18:11 52:23 53:5 53:13 attende 50:3</p>	<p>attending 10:23 attention 8:17 23:14.17 25:8 27:7 attorney 3:10 18:18 Auken 54:8 authoritative 32:21 average 46:4 aware 32:3 a.m 1:13</p> <p style="text-align: center;">B</p> <p>BA 5:7 back 16:5 background 5:3 bad 29:9 Baietto 13:4.6 14:6 14:11 23:9.24 38:21 bank 35:12.16 banking 36:3 banks 35:23 bank's 35:12 36:1 Barb 54:8 base 19:9.14 based 29:3 37:5 basically 41:5 42:18 basis 22:4 26:10 37:14 became 9:10 10:10 become 37:3.4 before 1:1.10 7:18 7:23 8:16 16:2.9 19:5 23:4.8.22 29:7 37:4 42:10 43:20.22 45:11 49:3.18 52:15.17 55:1.20 56:5 began 6:20 behalf 1:20.24 2:4 being 3:2 19:16.21 30:5 34:12.14</p>	<p>37:21 41:22 44:22 beliefs 50:20 believable 20:19.20 believe 5:11 6:8 9:5 16:1.9 20:20 25:23 27:9 38:12 40:21 44:9.12.18 44:21 46:8 47:6 47:15.17.19 48:14 50:19 believed 47:11 believer 50:18 belong 22:6 benefactors 50:9 besides 21:12.19 Beth 51:14 between 12:16 14:15 15:24 26:6 47:6 50:15 beyond 39:12.13 40:5 Bill 13:4.19 23:10 52:7 53:18 Birdsall 2:2 bit 34:9 Black 1:22.22 blog 45:6.10 blogs 5:1 Blumenshine 7:19 21:7 board 1:2.6 12:20 12:22.23 13:2.14 13:21 14:1.5 15:9 16:7.24 17:9.14 18:3.4.10 19:9 20:1 21:19.24 22:7 23:4.4.5.7.8 23:17.23 25:8 26:6.22 28:6.10 29:11.23 36:24 37:5.10 40:4.22 41:6 42:11.13.15 45:20.22 46:15.24</p>
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54:3 55:2.6	cell 4:4	communicate	26:6 31:16 32:1.2	counsel 2:23 56:14
Bob 13:4 23:9	certain 8:5 13:8	47:21	36:13.16.23.24	country 32:12
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Exhibit 25

APPEARANCES: Cont'd

DAVID L. WENTWORTH, ESQUIRE
Hasselberg, Williams, Grebe, Snodgrass & Birasall
124 Southwest Adams, Suite 300
Peoria, Illinois 61602
on behalf of Cara Rosson;

ALSO PRESENT:

Royal Coulter, PDC;
Chris Coulter, PDC;
Matt Coulter, PDC;

I N D E X

WITNESS

CARA ROSSON
Examination by Mr. Mueller pg. 3

*EXHIBITS	IDENTIFIED
Rosson Group Exhibit No. 79	pg. 21
Rosson Exhibit No. 80	pg. 21
Rosson Exhibit No. 81	pg. 21
Rosson Exhibit No. 82	pg. 18
Rosson Exhibit No. 83	pg. 24
Rosson Exhibit No. 84	pg. 31
Rosson Exhibit No. 85	pg. 33

*Indicates exhibits were withdrawn by Petitioner's counsel; not attached hereto.

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1 CARA ROSSON.
 2 a material witness herein, being duly sworn, was
 3 examined and testified as follows:
 4 EXAMINATION
 5 BY MR. MUELLER:
 6 **Q Would you state your full name, please?**
 7 A Cara Gazelle Rosson.
 8 **Q Is it okay if I call you Cara?**
 9 A Sure.
 10 **Q Cara, you are here today with your attorney**
 11 **David Wentworth?**
 12 A Yes, I am.
 13 **Q Let the record show this is the discovery**
 14 **deposition of Cara Rosson taken pursuant to**
 15 **subpoena, in accordance with rules and scheduled by**
 16 **agreement of the parties.**
 17 **What is your address?**
 18 A 901 East Mossville Road, Peoria, 61615.
 19 **Q How long have you lived at that address?**
 20 A A little over a year.
 21 **Q Who do you reside there with?**
 22 A My husband and my two boys and my dog.
 23 **Q Where is your husband employed?**
 24 A He works at Bradley.

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1 **Q In what capacity?**
 2 A He's a theater professor.
 3 **Q What is your telephone number?**
 4 A 579-2737.
 5 **Q Do you have a cell phone that you regularly**
 6 **use?**
 7 A Yes.
 8 **Q And what is the number of that?**
 9 A 339-9733.
 10 **Q Do you have an E-mail account that you**
 11 **regularly use?**
 12 A Yes.
 13 **Q What is that E-mail address?**
 14 A Cara, cara@grope.com.
 15 **Q Do you also post regularly on various**
 16 **blogs?**
 17 A Sometimes.
 18 **Q Do you know what alias, nicknames or other**
 19 **identities you use when you post on blogs?**
 20 A Cgazelle12.
 21 **Q Is that the only one you ever use?**
 22 A Yes.
 23 **Q What is your educational background?**
 24 A Could you be more specific?

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1 **Q What's your highest level of education?**
 2 A I have a master's degree.
 3 **Q In what and from where?**
 4 A In theater research from Florida State
 5 University.
 6 **Q Are you employed at the present time?**
 7 A Yes.
 8 **Q Where?**
 9 A Bradley University.
 10 **Q In what capacity?**
 11 A I'm a research analyst.
 12 **Q How long have you worked for Bradley?**
 13 A Coming up on two years.
 14 **Q How long have you lived in Peoria?**
 15 A Coming up on two years.
 16 **Q How did you get involved in the opposition**
 17 **to the landfill expansion?**
 18 A Started attending the Universalist
 19 Unitarian Church here in Peoria January, and the
 20 first weekend we went was new member weekend. It's
 21 kind of why we went that weekend. They stood up,
 22 the new official members in the front of the church
 23 to welcome them, and Kim and Ted Converse were two
 24 of those people.

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1 They mentioned something about fighting the
 2 landfill, and I approached her after the service
 3 and said, hey, I'd be interesting in helping.
 4 **Q Any particular reason why you wanted to be**
 5 **interested in helping on a landfill expansion case?**
 6 **It's pretty dull stuff.**
 7 A Seemed like the right thing to do.
 8 **Q I believe at some point you made a**
 9 **statement about allergies that you have?**
 10 A Yes, I think so.
 11 **Q Can you describe the allergies that you**
 12 **have?**
 13 A I had a doctor in Tallahassee, Florida,
 14 diagnose me with what's called generic or general
 15 rhinitis. So I have post nasal drip just about all
 16 year.
 17 **Q Have you ever made the statement in any**
 18 **blogs or in any communications to county board**
 19 **members or in any statements or submittals at the**
 20 **public hearing that you believed your allergies**
 21 **were caused or worsened by the presence of the**
 22 **Peoria Disposal Company landfill?**
 23 A I don't remember.
 24 **Q As you sit here now, do you believe that's**

1 the case?
2 A I think it's possible.
3 Q Has any expert ever told you that your
4 allergies could be worsened by the Peoria Disposal
5 Company landfill?
6 A Expert --
7 Q Doctor, scientist of any kind?
8 A I don't remember ever being told that.
9 Q How close do you live to the landfill?
10 A Not too. I think I'm on the opposite side
11 of town.
12 Q After your meeting at the Unitarian Church,
13 did you join a group called Peoria Families Against
14 Toxic Waste?
15 A Yes.
16 Q What is your understanding of how that
17 group is organized and how it operates?
18 A I'm not sure -- how do you --
19 Q Well, is it a corporation?
20 A No.
21 Q Does it have officers?
22 A No.
23 Q Does it have a board of directors?
24 A No.

1 A A couple pieces. How would you like me to
2 quantify?
3 Q Whatever way you can.
4 A About a page worth maybe of information.
5 When thinking of a website, one page of a website,
6 a page worth.
7 Q Were you the person that provided the label
8 toxic waste stacks for a photograph that was on the
9 Peoria Family website?
10 A No.
11 Q Do you know who did that?
12 A No.
13 Q Do you have any specific knowledge gained
14 before your involvement in the landfill matter
15 regarding hazardous waste management or disposal?
16 A No.
17 Q Do you have any specific knowledge gained
18 before your involvement in the landfill matter
19 regarding heavy metals, lead or asbestos?
20 A Passing knowledge about asbestos from my
21 dad.
22 Q What was the -- tell me more about your
23 dad's connection with asbestos.
24 MR. WENTWORTH: George, I don't

1 Q Then who runs the group?
2 A Kim Converse, me, Joyce Blumenshine. It's
3 a group effort.
4 Q You mentioned Kim and Joyce. Would you say
5 they're the two primary people?
6 A Yes.
7 Q To your knowledge, does Peoria Families
8 Against Toxic Waste have a membership list?
9 A No.
10 Q Does it charge dues?
11 A No.
12 Q Were you ever involved in adding or editing
13 content on the Peoria Families website?
14 A Yes.
15 Q What was your involvement in that process?
16 A I would type paragraphs or put information
17 together and E-mail it to Ted Converse.
18 Q What was your understanding of who was
19 responsible for maintaining the website?
20 A Ted Converse.
21 Q Who provided the substantive content on the
22 website? Did Ted or did you?
23 A Everybody. There was no -- everybody.
24 Q How much of it would you say that you did?

1 understand the relevancy of this line of question.
2 I never have, and now that we're getting into her
3 personal stuff about her family. I -- I'm not
4 trying to be difficult. I just really don't know
5 where you're going and how it's relevant to
6 anything that's --
7 MR. MUELLER: It's a discovery
8 deposition, and to the extent that there's been a
9 lot of statements made about various kinds of toxic
10 materials by Peoria Families and their members and
11 others, I'm just trying to understand the basis of
12 people's knowledge. It's pretty preliminary, and
13 I'm not going to go into depth.
14 MR. WENTWORTH: Fair enough.
15 THE WITNESS: My dad is -- was a
16 mechanical -- he's retired, a mechanical engineer,
17 and I think there were jobs at the company he used
18 to work for where they do remove asbestos. So I
19 learned, and then news stuff on asbestos, you know,
20 you hear about schools having asbestos removed,
21 that kind of thing.
22 BY MR. MUELLER:
23 Q Do you have any family members or close
24 friends who have been impacted by heavy metal,

1 asbestos or other toxic materials?
2 A Not to my knowledge.
3 Q Do you remember on the website what
4 specific page it was that you added to it?
5 A No, I don't remember.
6 Q Are you a member of the Sierra Club?
7 A No.
8 Q Are you a member of Citizens For Our
9 Environment?
10 A No.
11 Q Have you ever been to any meeting of the
12 Sierra Club?
13 A No.
14 Q To your knowledge, who handled the funds
15 for Peoria Families?
16 A Cindy McLean.
17 Q What was the role of John McLean in the
18 formation or operation of the Peoria Families
19 group?
20 A Very little.
21 Q When the hearings began in this case, what
22 was your understanding of the rules regarding
23 direct contacts with board members outside of the
24 hearing process?

1 A My understanding was that I was allowed to
2 contact them to express my opinion as a constituent
3 but that they were not supposed to respond.
4 Q Then in your mind, what was the purpose of
5 contacting them to express your opinion?
6 A As a constituent, they're my legislator or
7 our legislators. So it's part of their job to hear
8 the voice of the people as an elected official.
9 Q So, obviously, you wanted your opinion to
10 be taken into consideration in their
11 decision-making process?
12 A I think it's part of their job to know my
13 opinion.
14 Q So the answer is yes?
15 A I'm not sure what you mean the answer --
16 could you repeat the question?
17 Q So you wanted board members to take your
18 opinion into consideration in making their
19 decision?
20 A I wanted them to hear my opinion. It's
21 their job to figure out what they take into
22 consideration.
23 Q Either you wanted them to consider it or
24 you didn't?

1 A I wanted them to hear it as an elected
2 official.
3 Q What did you hope they would do with your
4 opinion once they heard it?
5 A That's their job.
6 Q Did you understand the decision that the
7 county board members were going to make on this to
8 be a legislative decision?
9 A Not sure. I'm not sure.
10 Q Well, you're the person that used the term
11 legislative.
12 So my question is, did you understand that
13 this was a legislative process?
14 A Yes.
15 Q Who told you what the rules were regarding
16 contacting board members?
17 A It was -- I think we got it from Dave
18 Brown. Yeah.
19 Q Dave Brown told you it was okay to contact
20 board members directly outside the hearing process?
21 A I think there was mention of it in the
22 paper about the process. I don't recall it
23 specifically.
24 Q Well, to get Dave off the hook, did you

1 ever talk to him personally about the rules of the
2 process?
3 A No, not until -- well, the first time I
4 talked to Dave personally was this morning, so, no.
5 Q So you read something somewhere that you
6 believe may have been a quote or a statement by
7 Dave Brown but you can't remember where, is that
8 fair?
9 A Yes. It might have been in the paper.
10 Q Did any of your comembers in Peoria
11 Families ever discuss with you what the rules of
12 the game were so to speak?
13 A I think we discussed it in meetings, yes.
14 Q And would it be fair that Kim Converse
15 orchestrated those discussions or lead them in
16 terms of talking about what you could and couldn't
17 do?
18 A Yes.
19 Q Now, you indicated you thought it was
20 appropriate to give board members your opinion?
21 A Yes.
22 Q Did you also think it was appropriate to
23 give board members information of a factual nature?
24 A Information that was also submitted to the

1 record, yes.
2 **Q Did you think it was appropriate to give**
3 **board members commentary on information in the**
4 **record, meaning whether you thought the information**
5 **was good or bad?**
6 A Yes. I thought that was appropriate.
7 **Q Did you want board members to take into**
8 **consideration in their decision-making process the**
9 **substance of any comments you might have made to**
10 **them on information in the record?**
11 A I never thought about it that way.
12 **Q Did you think the same rules regarding**
13 **contacting board members outside of the hearing**
14 **process applied to Peoria Disposal Company?**
15 A Sure.
16 **Q Are you aware of your own knowledge of**
17 **whether Peoria Disposal Company did contact board**
18 **members outside the hearing process?**
19 A I have no idea.
20 MR. MUELLER: Off the record.
21 (Discussion off the record.)
22 BY MR. MUELLER:
23 **Q Cara, do you use any other E-mail addresses**
24 **besides Cara@grope.com?**

1 **and typed it?**
2 A I don't remember how it was compiled. I
3 just remember typing it mostly.
4 **Q Where did you get your facts from in this**
5 **particular document?**
6 A The second place is score card. Somebody
7 had that at one of our meetings. The TRI came from
8 whichever the TRI website is. Do you want me to --
9 I can sort of go fact by fact.
10 **Q I don't need to go fact by fact. I want to**
11 **know what people you got the facts from that you**
12 **didn't have at your immediate disposal?**
13 A Other members of Peoria Families.
14 **Q Which ones on this specific document?**
15 A God, I don't remember.
16 **Q Did anyone ever tell you not to talk to**
17 **county board members?**
18 A No.
19 **Q One of the documents you produced, and I**
20 **don't even know if we're going to mark it, is a**
21 **letter from State's Attorney Kevin Lyons dated**
22 **March 20th, 2006, to William Rutherford.**
23 **My question is, how did you get a copy of**
24 **that letter?**

1 A I have a work E-mail, crosson@. either
2 bradley.edu or bumail.bradley.edu.
3 **Q Did you use that E-mail address for any**
4 **communications with the county board in this case?**
5 A No.
6 **Q Do you have an E-mail address that is**
7 **cara@dougrosson.com?**
8 A That one died.
9 **Q When did that one go out of effect?**
10 A We stopped paying that bill in the
11 beginning of this summer. I don't remember.
12 **Q The only names that you post under in blogs**
13 **would be Cara or c.gazelle12?**
14 A Yes.
15 **Q Let me show you what's previously been**
16 **marked as Exhibit 65 and ask you if you know who**
17 **prepared that document.**
18 A I think I did.
19 **Q Now, you say you typed it. Did you also**
20 **provide the content in it?**
21 A That was a group effort.
22 **Q In other words, when you say "group**
23 **effort," is this something that you sat around and**
24 **compiled information and you went to the computer**

1 MR. WENTWORTH: Do you need to see it?
2 THE WITNESS: Yes. I need to see the
3 letter.
4 MR. MUELLER: This is 82.
5 (Rosson Exhibit No. 82 marked)
6 BY MR. MUELLER:
7 **Q Let me show you that and ask you if you**
8 **know how you came into possession of that letter.**
9 A I assume it came from the public record. I
10 don't remember.
11 **Q Was William Rutherford a member of Peoria**
12 **Families?**
13 A No.
14 **Q Did he ever attend any meetings?**
15 A Oh, no.
16 **Q I think I might have asked this. Did**
17 **anyone ever tell you not to talk to county board**
18 **members or communicate with them directly outside**
19 **the hearing process?**
20 A No.
21 **Q Did you speak personally with any county**
22 **board members during this entire process?**
23 A No.
24 **Q Did you speak on the telephone with any**

1 county board members during this entire process?
 2 A I might have left a voice mail for Bill
 3 Prather, but I never spoke to anyone.
 4 Q Why Mr. Prather?
 5 A Because I --
 6 Q Did you send letters to any county board
 7 members?
 8 A E-mails.
 9 Q So the answer to letters is no?
 10 A No.
 11 MR. WENTWORTH: George started to
 12 interrupt. Is this November 9 through May 3rd?
 13 BY MR. MUELLER:
 14 Q Yes. Well, I'm assuming that you didn't do
 15 anything before you got involved in January 2006,
 16 is that correct?
 17 A No. I did not or that's correct, sorry.
 18 Q So I'm talking about from the time you got
 19 involved until May 3rd?
 20 A I don't remember sending any letters. I
 21 remember E-mails.
 22 Q You did send a number of E-mails to county
 23 board members?
 24 A Yes.

1 Q Let's go through some exhibits here. The
 2 first one we've marked as Exhibit 79, and I show
 3 you a copy of that and ask you if -- this is a
 4 group exhibit, by the way, being A through G, just
 5 ask you if these are copies of E-mails that you
 6 sent to the people indicated on the dates in
 7 question.
 8 A Yes. We haven't got through all of them.
 9 Okay, yes.
 10 Q Then let's get to Exhibit 80 which appears
 11 to be an E-mail string between you and Kim
 12 Converse. You can disregard the one at the top,
 13 and ask you if, in fact, that's an accurate
 14 representation of those two E-mails.
 15 Actually, there's three there it appears --
 16 no, two. I was right the first time.
 17 A Yes, that's me.
 18 Q Then I'll show you what we've marked as
 19 Exhibit 81, and ask you if you can identify what
 20 this is.
 21 A A press release I wrote.
 22 Q For whom?
 23 A For Peoria Families.
 24 Q Where did you get the information from in

1 Q Did you send E-mails to all county board
 2 members or target specific ones?
 3 A If I sent -- I think I sent them to most of
 4 them.
 5 Q How many different E-mails would you say
 6 you sent to county board members?
 7 A Three.
 8 Q Only three different ones?
 9 A I don't remember the exact number. Three,
 10 maybe four.
 11 Q Were you involved ever in going door to
 12 door on anything?
 13 A Yes.
 14 Q Where did you go door to door?
 15 A In the Edgewild Neighborhood.
 16 Q Did you hand out fliers at people's homes?
 17 A Yes.
 18 Q Who designed those fliers?
 19 A Tessie. I think Tessie put them together.
 20 Q Do you know who printed them?
 21 A A bunch of people printed them.
 22 Q Did Converse Marketing do any of the
 23 printing of fliers?
 24 A No, not that I know of.

1 this press release?
 2 A The doctor bios, came from the doctors off
 3 of -- off of their -- the websites. They have
 4 little bios on the company websites or whatever.
 5 Q I'm guessing that you would have had to
 6 communicate directly with one or more doctors to
 7 help you prepare this press release, is that true?
 8 A Actually, no.
 9 Q Then who did you get the information from
 10 as to which doctors were opposed and so forth?
 11 A Oh, I got that through Peoria Families in
 12 their meetings.
 13 Q Well, do you remember who at Peoria
 14 Families provided the information?
 15 A Kim.
 16 Q Did you ever have any direct conversations
 17 with any of the doctors mentioned in this exhibit?
 18 A Yes.
 19 Q Which ones?
 20 A I talked with Dr. Vidas, maybe Dr. Zwicky.
 21 That's it.
 22 Q Where did you talk with them at?
 23 A Dr. Vidas -- oh, Dr. Crane, he was at that
 24 meeting, too. We had a meeting at Peoria Ear,

1 Nose, Throat and --
2 **Q When you say we had a meeting at Peoria**
3 **Ear, Nose, Throat, who's "we"?**
4 A Me and Kim Converse.
5 **Q Met with whom there?**
6 A Gary Zwicky and Vidas and Crane.
7 **Q Do you remember when that meeting happened?**
8 A No, awhile ago. It was before I wrote this
9 press release.
10 **Q Before they testified?**
11 A I don't remember when they testified. So I
12 don't remember.
13 **Q But you met with them sometime before this**
14 **press release obviously?**
15 A Yes.
16 **Q Who else was present besides the five**
17 **people that you identified?**
18 A My two-year-old Gabriel.
19 **Q Do you remember who arranged that meeting?**
20 **Was it at the request of the doctors or at the**
21 **request of Peoria Families?**
22 A I think it was both. Could you repeat the
23 question one more time?
24 **Q Do you remember who arranged the meeting?**

1 A Yes, I assume so.
2 **Q Well, is it -- I mean, look it over and**
3 **tell us whether it is.**
4 A It looks like it is, yes.
5 **Q Okay. The second paragraph in this E-mail**
6 **is they don't seem to be considering the fact that**
7 **Pleasant Valley Middle School and several**
8 **residential areas overlook the toxic site.**
9 **Where did you get that information from?**
10 A Driving through the area.
11 **Q Is that your --**
12 A Google Earth.
13 **Q Well, which is it? Google Earth or driving**
14 **through?**
15 A Both.
16 **Q Are you telling us that the landfill is**
17 **visible from Pleasant Valley Middle School?**
18 A It's up the hill from it.
19 **Q Well, you said they overlook the site. So**
20 **I'm assuming you looked and could see over the site**
21 **from the location you've identified?**
22 A I never specifically -- did I? I don't
23 remember ever going onto the grounds of Pleasant
24 Valley Middle School.

1 A Kim Converse and Dr. Vidas.
2 **Q Were any doctors members of the Peoria**
3 **Families group?**
4 A No.
5 **Q Did any doctors ever attend any meetings of**
6 **Peoria Families?**
7 A No.
8 **Q I'm looking at the Peoria pundit blog where**
9 **you posted a message that said in part, I've done**
10 **hours and days of research, talked to county board**
11 **members.**
12 **You previously testified that you did not**
13 **talk directly with any county board members in this**
14 **case.**
15 **Does that refresh your recollection as to**
16 **whether you did or didn't?**
17 A No. I didn't talk to any of the county
18 board members.
19 **Q Well, then let's mark this as -- we'll copy**
20 **this page. We'll get back to this.**
21 **Let me show you what's been marked as**
22 **No. 83, and ask you if this is a true and correct**
23 **copy of an E-mail that you sent to the forum with**
24 **copies to boards members on March 9th.**

1 **Q So that's a fact that's not verified,**
2 **correct?**
3 A Not personally.
4 **Q It's a fact that is not -- was not**
5 **previously in the record, isn't that correct?**
6 A I don't remember.
7 **Q Well, the reason I'm asking is because you**
8 **said you thought it was appropriate to comment to**
9 **county board members on facts in the record.**
10 **So my question is, where in the record did**
11 **this fact come from?**
12 A The Pleasant Valley Middle School fact?
13 **Q Yes.**
14 A I assume it was in the record. It was
15 something I was aware of from meetings.
16 **Q Would it be fair to say it was something**
17 **you believed to be true but you weren't sure**
18 **whether it was?**
19 A I had never stepped onto the grounds of
20 Pleasant Valley Middle School. So I can't say, no.
21 **Q Who did the fact checking for Peoria**
22 **Families?**
23 A Everybody.
24 **Q Did anyone check your facts in this**

1 particular letter?
2 A I would have. I distributed it to other
3 members.
4 Q Pardon me?
5 A I would have done my own fact checking. I
6 distributed it to other members to read.
7 Q Now, then you stated that the facility was
8 rated number one in air pollution in the State of
9 Illinois in 2000 having emitted over
10 18 million pounds of pollutants into the air.
11 Where did you get that information from?
12 A It was -- I believe it was a newspaper
13 article.
14 Q Do you take everything you read in the
15 newspaper as fact?
16 A No.
17 Q However, you in this letter referred to
18 this particular statement as a fact?
19 A I believe the newspaper article was about
20 an EPA review, submit -- you know, quantities
21 measured by the EPA, Illinois EPA.
22 Q This date March 9th is actually after the
23 hearings.
24 Were you at the public hearings?

1 the article which was about some sort of EPA
2 report, to the best of my knowledge.
3 Q As you sit here now, you can't identify
4 that article or where you read it, is that true?
5 A It was something we submitted to the
6 record.
7 Q You believe you took it from something -- I
8 thought you said before you read it in a newspaper?
9 A Printed it out.
10 Q Was it in a newspaper or was it --
11 A I read newspapers online.
12 Q Or a submittal?
13 A I read newspapers online. I printed it
14 out, and I believe it was submitted to the record.
15 MR. MUELLER: Let's take a five-minute
16 break. We may be finished or very close to
17 finished.
18 (Recess from 10:00 to 10:05)
19 BY MR. MUELLER:
20 Q Did you go to the meeting with the IEPA in
21 Springfield recently?
22 A No.
23 Q Were you involved in the preparation of
24 materials for that meeting?

1 A Which ones?
2 Q The ones in February at the ITOO Hall.
3 A I think I was -- is that when there was
4 several days in a row?
5 Q Yes.
6 A I was at one of them.
7 Q Were you at the public hearing in February
8 where evidence was elicited at the Annual Air
9 Pollution from the Peoria Disposal Company facility
10 is measured in the tens or hundreds of pounds?
11 A I don't remember.
12 Q Nonetheless, you wanted the county board I
13 take it to believe that the statement that
14 18 million pounds of air pollution is released
15 annually was a fact?
16 A I was merely citing what I had read in the
17 article that I found.
18 Q Well, you don't indicate it as citing to an
19 article. You mention it as a fact, right?
20 A That's what I did here, yes.
21 Q You did not do any of your personal
22 research to verify whether it was a true fact,
23 correct?
24 A I took it -- like I said, I took it from

1 A No.
2 Q Did you ever send any E-mails to other
3 Bradley faculty members encouraging them to join
4 the opposition?
5 A I don't think so, no, none that weren't
6 already part of Peoria Families.
7 Q What other Bradley faculty members are part
8 of Peoria Families?
9 A Rick Stalling, Richard Stalling.
10 Q Anyone else?
11 A That's the only one I can think of right
12 now. Yeah, I think that's it.
13 Q Is Dr. Crane a member of Peoria Families?
14 A Dr. Crane, no.
15 Q When you went to the meeting at the Ear,
16 Nose & Throat Center, did you receive any
17 contributions from any of those doctors?
18 A No.
19 Q Do you know whether Peoria Families ever
20 got contributions from any doctors?
21 A I didn't do the books. So I can't say for
22 sure.
23 Q Were you the main fact checker for
24 publications and other printed material prepared

1 **and released by Peoria Families?**
2 A No.
3 **Q Who would you identify as the main fact**
4 **checker?**
5 A It was a group effort. depended on who was
6 typing.
7 **Q So it would be fair to say there was no**
8 **main person that did that?**
9 A True.
10 **Q You're a researcher, though, by training**
11 **and vocation, aren't you?**
12 A Yes.
13 **Q So you understand about fact checking?**
14 A Yes.
15 **Q And even with that, they didn't rely upon**
16 **you to carry that ball?**
17 A No, they didn't.
18 **Q Let me show you what's been marked as**
19 **Exhibit 84. I didn't mean to fire that at you**
20 **across the table. It just slid.**
21 **This appears to be a submittal by you again**
22 **to the peoriapundit.com/blog --**
23 A Yes.
24 **Q -- dated in May.**

1 **Engineering?**
2 A No.
3 **Q Let me show you what's been marked as**
4 **Exhibit 85; and, again, this is a submittal from**
5 **the Peoria pundit blog, and if I direct you to near**
6 **the bottom of the page about the fifth line up, do**
7 **you see where it says, I have done hours and days**
8 **of research, talked to county board members, talked**
9 **with Illinois state officials, EPA and State's**
10 **Attorney's office, attended every public board and**
11 **committee meeting.**
12 **Is that your statement?**
13 A That is my statement here, yes.
14 **Q You've testified today you never talked to**
15 **any county board members?**
16 A I did not, no.
17 **Q So when you made this statement, you were**
18 **not being truthful?**
19 A I was not. I was exaggerating.
20 **Q Did you ever talk with Illinois state**
21 **officials?**
22 A Personally, yes.
23 **Q Which Illinois state officials did you talk**
24 **to about this?**

1 **Is this a true statement or is this a true**
2 **copy of your posting?**
3 A Yes.
4 **Q If you look at the last line you say, PDC**
5 **hired local general engineering firm Patrick**
6 **Engineering?**
7 A Yes.
8 **Q Where did you get that information from?**
9 A That was my knowledge from the hearings.
10 **Q The hearings that you attended one day of,**
11 **correct?**
12 A I attended hearings with the votes with
13 the -- back in February. Which hearings?
14 **Q The hearings with the evidence you attended**
15 **one day, right?**
16 A I believe so.
17 **Q Based upon that one day, it was your**
18 **knowledge that PDC had hired Patrick Engineering?**
19 A Based upon my attendance during the May and
20 the April hearings, it was my knowledge that PDC
21 had hired Patrick Engineering as well as the day
22 that I attended in February.
23 **Q Did you ever bother to check those facts**
24 **and learn that Peoria County had hired Patrick**

1 A I have to think. Tom Davis.
2 **Q Who's he?**
3 A I have to think. He works -- he's an
4 attorney in -- he's in Springfield. I'm sorry. I
5 don't remember which department. EPA maybe.
6 **Q What did you talk about?**
7 A The hearings, we talked about the hearings.
8 **Q Who is this person Bill by the way that you**
9 **seem to address your comments to?**
10 A Bill Dennis, he is Peoria pundit.
11 **Q Did you talk to EPA officials?**
12 A I think that Tom Davis might have been with
13 the EPA, again, sorry.
14 **Q Is he a state or federal person?**
15 A Tom Davis, state.
16 **Q You said you talked to the State's**
17 **Attorney's office.**
18 **Who did you talk to in the State's**
19 **Attorney's office?**
20 A Again, that's probably Tom Davis.
21 **Q He's also an assistant state's attorney?**
22 A Yes, yes.
23 **Q Would that be the Peoria County State's**
24 **Attorney?**

1 A No.
2 **Q Who did you talk to in the Peoria County**
3 **State's Attorney's office?**
4 A Nobody that I remember.
5 **Q You indicate that you attended every public**
6 **board and committee meeting.**
7 **That's not true, is it?**
8 A No. Because I didn't attend the whole week
9 of February -- in February.
10 **Q So the majority of the statements in that**
11 **paragraph are, in fact, not true statements, is**
12 **that correct?**
13 A They're an exaggeration.
14 **Q What was the purpose of your exaggeration**
15 **prior to the final vote?**
16 A No purpose, just got carried away.
17 **Q Well, I don't have any other questions**
18 **then.**
19 **Hang on. For what it's worth, Mr. Coulter**
20 **reminded me of an item on my list.**
21 **Who is Brad Stone?**
22 A Brad, he's a member of Peoria Families.
23 **Q Where's Brad Stone residing at the present**
24 **time?**

1 **state EPA?**
2 A That or the attorney. I'm sorry.
3 **Q Or is it with the Attorney General's**
4 **Office?**
5 A He might be with the Attorney General's
6 Office, sorry.
7 **Q Do you believe he's a lawyer?**
8 A Yes. I'm pretty sure he's a lawyer.
9 **Q What was the purpose of your going all the**
10 **way to Springfield to meet with him?**
11 A I never went to Springfield to meet with
12 him.
13 **Q Then how did you talk to him?**
14 A On the phone.
15 **Q How did you get his name and identity?**
16 A That I don't remember. I might have looked
17 it up on the state website.
18 MR. MUELLER: That's all we have.
19 Thank you.
20
21 (Further deponent saith not.)
22
23
24

1 A He's in Madison, Wisconsin. He's in
2 Wisconsin. I think it's Madison.
3 **Q Do you believe he's in Madison?**
4 A I think it's Madison, yes.
5 **Q When did he live in Peoria, if ever?**
6 A In the spring, they lived here.
7 **Q What's his wife's name?**
8 A Julia.
9 **Q Is Mr. Stone affiliated with the University**
10 **of Wisconsin?**
11 A Not to my knowledge.
12 **Q What does he do for a living?**
13 A He runs some kind of computer business.
14 **Q Do you happen to know his phone number or**
15 **address?**
16 A I don't know his address. There's an off
17 chance his phone number is in my cell phone.
18 **Q When's the last time that you had any**
19 **communication with Mr. Stone?**
20 A E-mail earlier this week.
21 **Q I think we've confirmed that Tom Davis was**
22 **a person you talked to in Springfield?**
23 A Yes. He was in Springfield for sure.
24 **Q Your best recollection is he's with the**

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way 9:3 15:11 21:4 34:8 37:10 39:14 39:15	Williams 2:2	1400 1:12.18 39:5	82 2:19 18:4.5
website 8:13.19.22	Wisconsin 36:1.2 36:10	18 2:19 27:10 28:14	83 2:20 24:22
	withdrawn 2:23	2	84 2:21 31:19
	witness 1:9 2:10 3:2 10:15 18:2 39:6.7.9.10.11.13	20th 17:22	85 2:22 33:4
		2000 27:9	9
		2006 1:12 17:22 19:15 38:9.20 39:4.17	9 19:12
		204 1:15	9th 24:24 27:22
		21 2:16.17.18	9:00 1:12
		24 2:20	901 3:18

Exhibit 26

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BEFORE THE ILLINOIS POLLUTION
CONTROL BOARD

PEORIA DISPOSAL COMPANY,)
Petitioner,)
-vs-) NO. PCB 06-184
PEORIA COUNTY BOARD,)
Respondent.)

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The deposition of AMY CONVERSE SCHLICKSUP, a material witness herein, called for examination pursuant to notice and the Supreme Court Rules as they pertain to the taking of discovery depositions before Aana M. Giftos, CSR, RPR, and Notary Public in and for the County of Peoria, and State of Illinois, on Thursday, October 26, 2006, at 416 Main Street, Suite 1400, Peoria, Illinois, commencing at the hour of 3:45 p.m.

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APPEARANCES:

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GEORGE MUELLER, ESQUIRE
528 Columbus Street, Suite 204
Ottawa, Illinois 61350
and
JANAKI NAIR, ESQUIRE
BRIAN J. MEGINNES, ESQUIRE
Elias, Meginnes, Riffle & Seghetti, P.C.
416 Main Street, Suite 1400
Peoria, Illinois 61602
on behalf of the Petitioner;

22
23
24

DAVID A. BROWN, ESQUIRE
Black, Black & Brown
101 South Main Street
Morton, Illinois 61550
on behalf of the Respondent;

0

1
2

APPEARANCES: Cont'd
HAL SCHLICKSUP, ESQUIRE
124 Southwest Adams, Suite 360
Page 1

102606 Amy Schlicksup.txt
Peoria, Illinois 61602
on behalf of Amy Converse Schlicksup;

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ALSO PRESENT:

Royal Coulter, PDC;
Matt Coulter, PDC;

I N D E X

WITNESS

AMY CONVERSE SCHLICKSUP

Examination by Mr. Mueller pg. 3

EXHIBITS

None marked.

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3

1 AMY CONVERSE SCHLICKSUP,
2 a material witness herein, being duly sworn, was
3 examined and testified as follows:

EXAMINATION

BY MR. MUELLER:

Q would you state your full name, please?

A Amy Converse Schlicksup.

8 Q How do you want to be addressed?

9 A Amy.

10 Q That's fine. Thank you. Are you here
11 today with your attorney Hal Schlicksup?

12 A Correct.

13 Q Let the record show this is the discovery
14 deposition of Amy Schlicksup taken pursuant to
15 subpoena, in accordance with all the applicable
16 rules and scheduled by agreement.

17 Could you give us your address, please?

18 A 4533 Grandview Drive, Peoria Heights,
19 Illinois, 61616.

20 Q Who do you reside there with?

21 A My family.

22 Q What's your husband's name?

23 A Andrew Schlicksup.

24 Q What does he do for a living?

□

4

1 A He works at Caterpillar.

2 Q What is your telephone number?

3 A 685-8410.

4 Q Do you have a cell phone that you regularly
5 use?

6 A I have a cell phone that I sometimes --
7 it's like a car phone.

8 Q Did you make any phone calls ever to county
9 board members on your cell phone?

10 A Never.

11 Q What is your highest level of education?

12 A A bachelor's degree.

13 Q From where and in what subject?
14 A University of Illinois, communications.
15 Q Do you have an E-mail address that you
16 regularly use?
17 A Yes.
18 Q What is that?
19 A Amyc@conversemarketing.com.
20 Q Is that a business E-mail or a personal
21 E-mail?
22 A Business.
23 Q Do you have a personal E-mail account that
24 you use?

□

5

1 A Not really. I use my daughter's if I --
2 Q Where are you employed?
3 A Converse Marketing.
4 Q What's your job responsibility there?
5 A Can you be more specific?
6 Q Well, what's your title?
7 A Vice president.
8 Q How long have you worked at Converse
9 Marketing?
10 A Ten years.
11 Q So you would have worked there when Peoria
12 Disposal Company was a client of Converse
13 Marketing?
14 A Yes.
15 Q Did you ever do any direct work for Peoria
16 Disposal Company while you were -- while they were
17 a customer of Converse Marketing?

18 A I did not.

19 Q Was there any information that you ever
20 gained about the operations or practices of Peoria
21 Disposal Company that you used or revealed to any
22 other person in connection with the landfill
23 proceedings?

24 A No.

6

1 Q When did you become -- let me back up. Did
2 Converse Marketing provide anything of value to the
3 Peoria Families Against Toxic Waste by way of
4 consulting services, advertising, printing, any of
5 the kinds of things that the company does?

6 A Nothing.

7 Q Now, your brother's Ted Converse?

8 A Correct.

9 Q You're a member of the Peoria Families
10 Against Toxic Waste?

11 A No.

12 Q You are not?

13 A No.

14 Q Do you know who maintained the website of
15 Peoria Families Against Toxic Waste?

16 A I don't know -- not -- no.

17 Q Did you ever provide any material or
18 editorial content that ended up on that website?

19 A Nothing.

20 Q When did you first become involved in the
21 opposition to the landfill expansion?

22 A Can you clarify that question?

23 Q When did you --

24 A I think I have an answer.

□

7

1 Q Okay. Go ahead.

2 A March 30th when I -- the date I sent this
3 is the date I did anything that had to do with the
4 landfill situation (indicating).

5 Q Did you attend any of the hearings at the
6 ITOO Hall in February?

7 A No.

8 Q Were you encouraged by anyone at the Peoria
9 Families Against Toxic Waste to contact your county
10 board representative?

11 A I believe I was on an E-mail chain, but I
12 don't even recall what was on that E-mail, but it
13 talked about -- I believe there was -- I'm trying
14 to remember whether it was an E-mail or a
15 conversation but said there's a date to contact the
16 county board if you feel like you want to have your
17 opinion heard, but I don't recall whether that was
18 an E-mail or a passing conversation.

19 Q Is the E-mail that you've provided which is
20 I believe dated March 30th or March 29th the
21 only communication that you ever sent to county
22 board members?

23 A Yes.

24 Q Did you know Meg Whitmer?

□

8

1 A Yes.

2 Q Did you ever talk with her about the
3 landfill proposal?

4 A Never.

5 Q Did you ever go to any of the board
6 meetings at the ITOO Hall in April or May?

7 A Never.

8 Q Did you submit any written comment besides
9 your own letter?

10 A Nothing.

11 Q Did you ever talk personally with Michael
12 Phelan about anything between November 9th, 2005
13 and May 3rd, 2006?

14 A Never.

15 Q Did you ever talk to anyone else in which
16 there was a conversation about finding an opponent
17 for Mr. Phelan in the selection if he did not vote
18 against the landfill?

19 A Never.

20 Q Never heard anyone else talk about that
21 either, is that correct?

22 A Correct.

23 MR. MUELLER: Let's take a very short
24 break.

□

9

1 (Recess in proceedings.)

2 MR. MUELLER: Amy, thank you very
3 much. We have no further questions.

4

5 (Further deponent saith not.)

6

17 In testimony whereof, I hereunto set my
18 hand and affix my notarial seal on this day,
Thursday, January 4th, 2007.

19

20

Notary Public

21

22 Aana M. Giftos, Certified Shorthand Reporter
23 (State of Illinois License #084-003571)
 My commission expires 07/24/07.

24

□

Exhibit 27

BEFORE THE ILLINOIS POLLUTION

CONTROL BOARD

PEORIA DISPOSAL COMPANY,

Petitioner,

-vs-

NO. PCB 06-184

PEORIA COUNTY BOARD,

Respondent.

The deposition of CATHY STEVENSON, a material witness herein, called for examination pursuant to notice and the Supreme Court Rules as they pertain to the taking of discovery depositions before Aana M. Gifto, CSR, RPK, and Notary Public in and for the County of Peoria, and State of Illinois, on Thursday, October 26, 2006, at 416 Main Street, Suite 1400, Peoria, Illinois, commencing at the hour of 2:30 p.m.

APPEARANCES:

GEORGE MUELLER, ESQUIRE
728 Columbus Street, Suite 204
Ottawa, Illinois 61350

and

JANAKI NAIR, ESQUIRE
BRIAN J. MEGINNES, ESQUIRE
Elias, Meginnes, Riffle & Seghetti, P.C.
416 Main Street, Suite 1400
Peoria, Illinois 61601
on behalf of the Petitioner;

DAVIDA. BROWN, ESQUIRE
Black, Black & Brown
101 South Main Street
Morton, Illinois 61550
on behalf of the Respondent;

APPEARANCES: Cont'd

HAL SCHLICKSUE, ESQUIRE
114 Southwest Adams, Suite 360
Peoria, Illinois 61601
in behalf of Cathy Stevenson;

ALSO PRESENT:

Royal Coulter, PDC;
Matt Coulter, PDC;

I N D E X

WITNESS

CATHY STEVENSON:

Examination by Mr. Mueller pg. 3

*EXHIBITS

IDENTIFIED

Stevenson Group Exhibit No. 90 pg. 18

Stevenson Exhibit No. 91 pg. 18

Stevenson Exhibit No. 92 pg. 20

Stevenson Exhibit No. 93 pg. 18

*Indicates exhibits were withdrawn by Petitioner's
counsel; not attached hereto.

Page 3	Page 4
1 CATHY A. STEVENSON,	1 BY MR. MUELLER:
2 a material witness herein, being duly sworn, was	2 Q Let's actually move right forward based on
3 examined and testified as follows:	3 what you're going to volunteer so I can expedite
4 EXAMINATION	4 this.
5 BY MR. MUELLER:	5 Did you ever call any county board members
6 Q Would you state your name, please?	6 during the time that the application was pending?
7 A Cathryn A. Stevenson.	7 A It's my recollection I did not. I think
8 Q You are here today with your attorney	8 I -- this is -- I may have attempted to call
9 Mr. Schlicksup?	9 Mr. Phelan early, early on.
10 A I am.	10 Then I think something came out in the
11 Q Let the record show this is the deposition	11 paper that said they could not contact or talk to
12 of Cathryn Stevenson taken pursuant to subpoena and	12 you. So I think that was it. So I may have left a
13 in accordance with rules and scheduled by	13 message, and that was -- that would have been it.
14 agreement.	14 Q Did any county board members call you?
15 How would you like me to address you?	15 A No.
16 A Cathy's fine.	16 Q Do you have an E-mail address that you
17 Q Thank you. Cathy, can you give us your	17 regularly use?
18 address?	18 A I do.
19 A 4536 North Miller Avenue in Peoria Heights,	19 Q What is that?
20 Illinois.	20 A Rts3@insightbb.com.
21 Q How long have you lived at that address?	21 Q What is your highest level of education
22 A Ten years.	22 just by way of general background?
23 Q Who do you reside there with?	23 A A bachelor degree.
24 A My husband Rob Stevenson and my daughter	24 Q In what field?
	25 A Finance.
1 Elizabeth.	26 Q Are you employed outside the home?
2 Q Where is your husband employed?	27 A Not anymore.
3 A Smith Barney.	28 Q Where were you last employed?
4 Q As a broker?	29 A It was Baxter Healthcare Professionals. It
5 A Yes.	30 was a spinoff that would have been called Allegiant
6 Q What is your telephone number?	31 Healthcare.
7 A 685-7681, area code 309.	32 Q How long ago was that?
8 Q Do you have a cell phone that you regularly	33 A I left there in 1998.
9 use?	34 Q While you were there, did you form any
10 A I do. 309 --	35 acquaintances or acquaintanceships with any of the
11 MR. SCHLICKSUP: Counsel, what is the	36 doctors that made public comments or testified at
12 relevance?	37 the landfill expansion hearing?
13 MR. MUELLER: We're checking some	38 A No.
14 phone records and so forth.	39 Q Do you have any personal or family
15 MR. SCHLICKSUP: What's the relevance	40 experience with exposure to toxic materials, heavy
16 of that?	41 metals or asbestos?
17 MR. MUELLER: With regard to ex parte	42 A No.
18 communications with county board members.	43 Q Do you have any training or expertise prior
19 THE WITNESS: I can tell you I never	44 to your involvement in this project with hazardous
20 made a call to a county board member.	45 waste management or disposal?
21 MR. SCHLICKSUP: That's fine. For	46 A No.
22 that purpose, I don't have a problem.	47 Q When did you become involved in the
23 Go ahead and tell him.	48 opposition to the landfill expansion?
24 THE WITNESS: 309-453-6954.	

1 A I don't think it was until -- I had been
2 approached in November of last year. I think it
3 was kind of sketchy to sign a petition, and I
4 refused to sign the petition because I really
5 didn't know too much about it.
6 Then I think I followed things in the
7 paper, and so I'm thinking sometime February maybe.
8 When you say involve, I would say --
9 **Q I will follow up on that. When did you get**
10 **active in terms of doing things?**
11 A When you say active by doing things --
12 **Q Volunteering time or effort on behalf of**
13 **any citizens group involved in opposition.**
14 A I wasn't a member of a citizens group. I
15 would say I pretty much was independent, and that
16 probably wouldn't have been -- you know, putting up
17 yard signs would have been not until March
18 probably, sometime in March.
19 **Q Are you a member of the Peoria Families**
20 **Against Toxic Waste Group?**
21 A I'm not.
22 **Q Have you ever been?**
23 A No.
24 **Q Is there a reason why you did not join with**

1 **contacts between citizens and county board members?**
2 A The only rule I was aware of was when it
3 came out in the paper that board members were not
4 allowed to -- Kevin Lyons, State's Attorney, said
5 that they could not communicate with -- they could
6 not have a conversation with me, but I was not
7 aware of anything, any other stipulation.
8 **Q Were you aware at any time of any**
9 **limitations on your ability to contact board**
10 **members with your opinions or views?**
11 A I was aware of the public comment date;
12 however, I was not aware that that was the end of a
13 point in time that I could no longer communicate to
14 my board member and express any opinion as a
15 concerned citizen.
16 **Q Did you ever have a conversation with Kim**
17 **Converse about what the rules for the siting**
18 **proceeding were?**
19 A No, I mean, my conversation with Kim was
20 pretty limited. Probably the most I learned about
21 the siting criteria was at -- either in the paper
22 or one of the meetings when they talked about it
23 was based on the criteria itself.
24 **Q Kim is a loose relative of yours?**

1 **them?**
2 A I never gave it consideration. I was never
3 asked.
4 **Q Have you ever been to any of their**
5 **meetings?**
6 A I have not. I went to the Sandra
7 Steingraber presentation, but that was not a
8 meeting.
9 **Q Have you donated money to Peoria Families**
10 **Against Toxic Waste?**
11 A I did donate money for the Sandra
12 Steingraber, and I think I gave them \$100 when they
13 were asking for yard signs.
14 **Q Are you a member of the Sierra Club?**
15 A No.
16 **Q Are you a member or have you been a member**
17 **of Citizens For Our Environment?**
18 A No.
19 **Q Do you know Joyce Blumenshine outside**
20 **having talked to her casually at the siting**
21 **hearings?**
22 A No, I do not.
23 **Q What was your understanding about the rules**
24 **which governed the siting procedures in terms of**

1 A Correct.
2 **Q By marriage, isn't she?**
3 A Right.
4 **Q Do you see her frequently on a social**
5 **basis?**
6 A I see her at family birthday parties. On
7 that side, there's two children. So it would be
8 limited to two or three times a year, and they just
9 joined Peoria County Club which we're a member of.
10 Every now and then I would see her there. No, I
11 would not say we're regular, social --
12 **Q All right. She's been identified by a**
13 **number of people as the de facto leader of the**
14 **Peoria Families group, and what I'm wondering was**
15 **whether you ever went to her to get advice on how**
16 **to do the opposition or whether she ever came to**
17 **you to enlist your help with things that she was**
18 **interested in related to the opposition?**
19 A What I would have received from Kim were
20 E-mails that they generated a list of I think
21 anyone who had sent a letter or E-mail to the
22 public comment list and then they drafted an E-mail
23 contact list.
24 I think that's where I would receive Peoria

Page 11

Page 13

1 Family E-mails or whatever, but like many of them,
2 I didn't even read them in some cases.

3 **Q You did send a number of E-mails to county
4 board members?**

5 A I did.

6 **Q Where did you get the idea or inspiration
7 to send those E-mails?**

8 A I wouldn't call it inspiration, but I -- my
9 motivation, if that's what you're asking me, to get
10 involved was based on, as I said, I read things in
11 the newspaper, I was concerned about some of the
12 issues regarding the trench C1 or whatever it is;
13 but regarding the older section of the landfill and
14 that was in the paper and there was some breach
15 that was -- there was agreement by both experts, I
16 was concerned about that. I felt strongly enough
17 about it that I wanted to speak at the hearing
18 about it.

19 That prompted me to attend portions of the
20 hearing, and having attended portions of the
21 hearing, I was concerned or I had -- I guess I was
22 concerned about the fact that there seemed to be a
23 lot of time spent discrediting witnesses for the
24 opposition.

Page 12

Page 14

1 I felt more time should be spent on -- it
2 was a simple case of there's some holes, you get
3 the answers, you provide the answers, and you move
4 on.

5 So I felt -- in that situation, I didn't
6 feel -- I felt like the burden of proof was on
7 citizens, not on the applicant. That concerned me
8 as a citizen just as an individual.

9 **Q How many days of the public hearing in
10 February did you attend?**

11 A I think I was there for three, I think it
12 was.

13 **Q You said you thought there was a lot of
14 time spent on discrediting the --**

15 A In the time that I was there.

16 **Q In the time that you were there?**

17 A Yes.

18 **Q This was back in February?**

19 A Well, actually maybe March. I don't know
20 the exact dates of hearing.

21 **Q Well, the hearing was five consecutive days
22 at the ITOO Hall.**

23 A Okay.

24 **Q So that's the time period. I'm not trying**

1 **to trick you with dates.**

2 A No, no. I just don't have the exact dates.

3 **Q That's the hearing you're talking about,
4 though, when the witnesses were testifying?**

5 A Yes.

6 **Q Can you give me an example of what you mean
7 by discrediting the opposition witnesses other than
8 me cross-examining a couple of them?**

9 A Well, it may have been you cross-examining
10 them. I felt that in my opinion and it just -- I
11 felt that the public had the right to express their
12 opinion, and I felt that should be respected.

13 I didn't feel you were respectful of that
14 right, and it kind of just, I don't know, energized
15 me, whatever. I just felt it wasn't appropriate,
16 and it -- for me personally it made me go home and
17 start to do some research and look into it and get
18 more involved in the issue.

19 **Q The Peoria Families group maintained a
20 website?**

21 A Yes.

22 **Q Did you periodically visit that website?**

23 A I did.

24 **Q That website and publications, fliers and**

1 **the like put out by Peoria Families on a pretty
2 regular basis encouraged individuals to contact
3 their county board members to urge them to vote no
4 on the application.**

5 **Did your seeing that literature and/or
6 seeing the website cause you to believe that those
7 kinds of contacts with county board members were
8 appropriate?**

9 MR. SCHLICKSUP: I want to interrupt
10 here. George, you've asked a lot there. Why don't
11 you break that down, and the first part you're kind
12 of making a statement.

13 Why don't you ask her first if that's what
14 she saw on the website rather than you try to have
15 her assume that that's actually what was there.
16 Then follow it up with the last part of the
17 question.

18 MR. MUELLER: I think it was clear as
19 it went, but fair enough. We'll break it down.

20 BY MR. MUELLER:

21 **Q Were you aware that Peoria Families'
22 literature and their website was encouraging the
23 public to contact county board members to urge them
24 to vote no?**

1 A I don't know if I recall that directly. I
2 know it was urging -- my impression at least and my
3 involvement with asking people to put signs in
4 their yards related to that was that people weren't
5 aware and they weren't aware of what was going on.
6 They weren't even aware in many cases the board
7 members -- they thought they were going vote on the
8 issue themselves.

9 So, no, I don't know that that's what I
10 took away from it. I took away from it it was
11 educational, and it prompted me to do some research
12 on my own in terms of what information was out
13 there. I didn't necessarily just take theirs. I
14 did a lot of searching of websites and things as
15 well.

16 **Q Did you ever communicate any of the**
17 **information that you got in your searches to any**
18 **county board member?**

19 A No. My E-mails were -- I obviously read
20 them. Most of them were reactions to a document
21 that had -- either a document or a meeting that I
22 sat through, but my recollection is that's what my
23 E-mails were based on.

24 **Q Did anyone ever tell you that it was not**

1 I can't think of his name. He's an eye doctor.
2 Those are the ones I can think of right now.

3 **Q Now, the two doctors that asked for signs,**
4 **who did they contact to ask for them?**

5 A Beth Akeson had called me, Mrs. Akeson, and
6 asked for one. Norm Meyn I think had sent an
7 E-mail to the, the website. Then that's how we got
8 them.

9 **Q If you weren't a member of any citizen**
10 **groups, how would Beth Akeson know to contact you?**

11 A How would Beth Akeson know to contact me?

12 **Q Yes.**

13 A Because she saw the sign in my yard. We're
14 friends. I mean, there's -- but she definitely saw
15 the sign in my yard and she attended portions of
16 the hearing.

17 **Q Did you ever speak directly with any county**
18 **board member during the time that the application**
19 **was pending?**

20 A No.

21 **Q Did you ever attend any regular county**
22 **board meetings other than the hearings which were**
23 **at the ITOO Hall?**

24 A No.

1 appropriate to contact board members with your
2 views outside of the hearing process?

3 A No.

4 **Q Were you involved in placing yard signs in**
5 **various areas of the county?**

6 A In a limited area of the county, yes.

7 **Q What area of the county?**

8 A In the neighborhood I live in which is
9 Peoria Heights, kind of Grandview Drive, and then
10 in the Edgewild Subdivision.

11 **Q Is that something you did on your own or on**
12 **behalf of Peoria Families?**

13 A Basically on my own. My sister, obviously
14 Tessie Bucklar, had asked if I would help
15 distribute some yard signs and I told her I would.
16 We did it on I think two afternoons.

17 **Q Were you able to get some yard signs into**
18 **the yards of a couple of local doctors?**

19 A Yes.

20 **Q Which ones?**

21 A Dr. Rhode lives by us. Dr. McRae, Dr. Norm
22 Meyn who he had actually contacted us asking for
23 one, the Akesons, Dr. Akeson, they had actually
24 asked for one. There's another doctor on Prospect.

1 **Q Did you ever send any letters by regular**
2 **mail to any county board members?**

3 A No.

4 **Q Let me show you what we've marked as**
5 **Exhibit 90, and tell you that this is what we**
6 **believe is a copy of some of your E-mails. It's a**
7 **group exhibit, and all we want you to do is review**
8 **them and authenticate them as being true and**
9 **correct copies of E-mails that you would have sent**
10 **or that you did send, I should say.**

11 A Those appear to be my E-mails.

12 **Q Let me show you what we've marked as**
13 **Exhibit 91, and this appears to be a letter you**
14 **would have written to the newspaper. Do you recall**
15 **writing that?**

16 A Yes.

17 **Q What did you mean by the current breach in**
18 **that letter?**

19 A There was an article in the paper that -- I
20 think I referred to it earlier that stated that
21 there was a breach and that both environmental
22 experts on both sides, and I'm semiquoting I think
23 the paper, by saying that both sides agreed that
24 there was a breach in the older section of the

1 landfill.
2 **Q I'm particularly interested in where you**
3 **remember or believe you got the word breach from.**
4 A They may have called it a leak. Breach,
5 I'm not -- I don't -- it's kind of semantics to me,
6 but I basically was referring to the article that
7 was in the paper.
8 **Q That was --**
9 MR. SCHLICKSUP: George, I just want
10 to clarify something. What you had referred to
11 when you handed Cathy the documents earlier as
12 group exhibit was Exhibit 90?
13 MR. MUELLER: Yes.
14 MR. SCHLICKSUP: What we have is
15 exhibit entitled Exhibit 104 is what she reviewed
16 and handed back --
17 (Discussion off the record.)
18 BY MR. MUELLER:
19 **Q Was Mike Phelan your elected county board**
20 **member?**
21 A Yes.
22 **Q I think you indicated that you had learned**
23 **at some point early on that you could express your**
24 **views to county board members but they were not**

1 **or read that county board members were not to**
2 **express their opinions as late as March 2nd you**
3 **were still inquiring of Board Member Phelan what**
4 **his position was?**
5 A First of all, I don't know when I became
6 exactly aware, but I'm confident that I did not --
7 if you look at anything else, I never, ever
8 encouraged it.
9 My guess is that this may have been -- most
10 likely was before I became aware of that. I don't
11 have the exact date of that; however, I feel very
12 confident that I would not have done that and that
13 most likely -- this is when -- when I gave you the
14 dates when I got involved, this is very close to
15 the initial part of it. I'm very confident that I
16 would not have been aware of that at that time.
17 **Q If I were to tell you that March 2nd is**
18 **after the end of those five days of consecutive**
19 **hearings with witnesses at the ITOO Hall, would**
20 **that refresh your recollection as to when you**
21 **became aware of the hearing rules or procedures?**
22 A That would tell me that this was before.
23 Because as I mentioned, I didn't really even get
24 involved until that point. It was after those

1 **able to express theirs to you, is that correct?**
2 A My understanding is correct is that what I
3 read in the paper said that the public board
4 members could not or were advised not to
5 communicate to -- so whether they could or
6 couldn't, it just said that they were advised I
7 believe not to communicate to citizens, yes.
8 **Q If I can show you a copy of a three-page**
9 **document which we're marking as Exhibit 92, this is**
10 **I will represent one of the documents that you were**
11 **kind enough to furnish us today.**
12 **This purports to be an E-mail from you to**
13 **Michael Phelan, correct?**
14 A Correct.
15 **Q Is this a true and correct copy of that**
16 **E-mail?**
17 A It appears to be a true and correct copy of
18 the E-mail, yes.
19 **Q I notice that the second paragraph on the**
20 **first page is a one-line paragraph that says, I**
21 **would be interested in knowing your position on**
22 **this issue.**
23 A Correct.
24 **Q Can you explain for us why if you had heard**

1 hearings, and if you refer there, you'll see that
2 this is basically providing him the comments from
3 the hearing itself.
4 **Q Now, you have me confused because I thought**
5 **that you said you attended most of the hearings**
6 **because you were already involved. Now you're**
7 **saying you didn't get involved until after them.**
8 A No. I said that I got involved because I
9 read some articles in the paper that alluded to
10 this, whatever you'd like to call it, breach or
11 leak, and that made me decide to attend portions of
12 the public hearing.
13 At the Monday -- so I -- I know I was there
14 on the Saturday before this and then that Monday
15 evening I think it was, it was a Monday, I actually
16 went and I presented this information at that time,
17 and that was what I would consider my initial
18 involvement.
19 **Q Was when you made a public comment at the**
20 **hearing?**
21 A Yes.
22 **Q Then this letter to Mr. Phelan post dates**
23 **that?**
24 A By I think a few days. I don't know if

1 it's -- I don't remember the exact dates of the --
 2 **Q Now, if I can show you a copy of what we've**
 3 **marked as Exhibit 93, this again is a document**
 4 **which you were kind enough to furnish to us, and I**
 5 **would ask you if this represents -- is a true and**
 6 **correct copy of an E-mail string between apparently**
 7 **you and Patrick Urich on the dates indicated.**
 8 **A Yes. It appears to be, yes.**
 9 **Q First of all, how did you know that -- who**
 10 **Patrick Urich was?**
 11 **A I'm trying to think exactly where -- I had**
 12 **attended -- again, I'm not sure exactly what this**
 13 **was, but I had attended a meeting at the ITOO Hall**
 14 **where he presented the county board's -- I believe**
 15 **he presented the county board's recommendation is**
 16 **what it was, but I don't remember what that meeting**
 17 **was called.**
 18 **Q Your recollection is actually very good.**
 19 **If I can direct you to the response from Mr. Urich**
 20 **on the bottom of the first page, the one starting,**
 21 **Cathy, I just got off the phone with Mike Phelan.**
 22 **A Right.**
 23 **Q What is that in response to and how did**
 24 **Mike Phelan get involved in this series of**

1 make clear that they were -- sure that they were
 2 clear that I was not part of the so-called
 3 opposition group that they -- I think he was
 4 referring to Peoria Families, and that was that.
 5 **Q You just used the word they several times**
 6 **in your answer. Who are you referring to? You**
 7 **felt that they were trying to use you to negotiate.**
 8 **Who were they?**
 9 **A If you read the comment that is there and**
 10 **the fact that Patrick and Mike sent me the E-mail**
 11 **and then when they made that comment, it made me**
 12 **feel uncomfortable that I sent back and just said,**
 13 **Hey, I've got nothing to do with that and I don't**
 14 **want to be put in the middle basically.**
 15 **Q So you must have gotten a separate E-mail**
 16 **from Mike Phelan then?**
 17 **A I did not.**
 18 **Q It says, I received your two subsequent**
 19 **E-mails, to Patrick at the top of the first page.**
 20 **A Okay. So I've got one is this really**
 21 **lengthy one I sent, two is this other one.**
 22 **Q Did you ever get the spreadsheet?**
 23 **A Yes, I did.**
 24 **Q And what did you do with the spreadsheet**

1 **communications?**
 2 **A I have no idea. I assume Patrick Urich**
 3 **must have received my E-mail and I'm assuming he**
 4 **must have looked to see what district I was in, and**
 5 **he must have contacted Mike Phelan to say I**
 6 **received this. That's the -- those are all**
 7 **assumptions, all speculations.**
 8 **Q You'll see the last thing he says in this**
 9 **note at the bottom of page 1, Feel free to contact**
 10 **Mike or I with any questions.**
 11 **A Okay.**
 12 **Q Did you contact Mr. Phelan after receiving**
 13 **that information?**
 14 **A I did not and I don't believe, and I'll**
 15 **double check right here, that I even copied him on**
 16 **my responses or communication back and forth. It**
 17 **doesn't appear that I did.**
 18 **Q Well, isn't Mr. Phelan copied then on your**
 19 **next E-mail after that, the one dated April 20th?**
 20 **A Oh, yes. I will tell you why that was. If**
 21 **you look at that bottom paragraph, I felt as if**
 22 **they were trying to use me to negotiate something.**
 23 **I did not want to be put in that position.**
 24 **If he was involved in that, I wanted to**

1 **once you got it?**
 2 **A I looked at the spreadsheet and I did pass**
 3 **it on. I think I say in here if you'd like me to**
 4 **pass it on or I will go ahead and pass it on. So I**
 5 **passed it on to my sister and told her if she**
 6 **wanted to pass it on to someone in the group feel**
 7 **free to.**
 8 **Q That explains what I was inquiring about.**
 9 **Let's take a very brief break. We may be done.**
 10 **(Recess in proceedings.)**
 11 **BY MR. MUELLER:**
 12 **Q Just a few more brief questions.**
 13 **Were you involved in soliciting or**
 14 **organizing the medical professionals oppositions to**
 15 **the expansion in any way, shape or form?**
 16 **A No.**
 17 **Q Do you know Dr. Vidas?**
 18 **A I have heard of his name, and that was the**
 19 **first time I'd ever seen him was there.**
 20 **Q Do you know Dr. Zwicky?**
 21 **A I do know Dr. Zwicky.**
 22 **Q Did you ever talk to him about this**
 23 **proposal?**
 24 **A Proposal meaning?**

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1 **Q The landfill expansion.**
2 A We talked at the hearings and, I mean,
3 maybe at a cocktail party or something he may have
4 said something about it, but not in depth. no.
5 **Q Do you know Dr. Lorenz?**
6 A No.
7 **Q Obviously, you know Dr. McLean?**
8 A I've probably only met Dr. McLean a couple
9 of times and talked to him.
10 **Q I think you said you placed a sign in**
11 **Dr. Parker McRae's yard?**
12 A Yes.
13 **Q So you know him?**
14 A Yes.
15 **Q Socially?**
16 A He's a neighbor, a friend.
17 **Q Dr. Steven Smith?**
18 A He's a friend as well.
19 **Q Dr. McGee?**
20 A I do know Dr. Jim McGee.
21 **Q How do you know him?**
22 A There's two. One is a radiation
23 oncologist. His daughter goes to school with our
24 daughter and has been friends forever, and then

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1 there's another one that's a radiologist that I
2 just know him socially through the Country Club.
3 **Q I'm going to ask you about Bill Scott. Do**
4 **you know him?**
5 A I don't think so. Is he a physician?
6 **Q He's a doctor.**
7 MR. MUELLER: Thank you very much.
8 Cathy. We don't have any other questions.
9
10

11 (Further deponent saith not.)
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STATE OF ILLINOIS :
 : SS
COUNTY OF PEORIA :

I, Aana M. Giftos, CSR, RFR, and Notary Public in and for the County of Peoria, State of Illinois, do hereby certify that herebefore, to-wit, on Thursday, October 26th, 2006, personally appeared before me at 416 Main Street, Suite 1400, Peoria, Illinois:


CATHY STEVENSON, a material witness herein.

I further certify that the said witness was by me first duly sworn to testify to the truth, the whole truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of said witness and afterwards reduced to typewriting, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid.

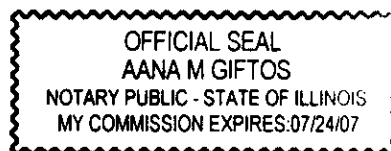
I further certify that the signature of the witness was not waived.

I further certify that I am not counsel for nor in any way related to any of the parties to this suit, nor am I in any way interested in the outcome thereof.

In testimony whereof, I hereunto set my hand and affix my notarial seal on this day, Monday, November 13th, 2006.


Notary Public

Aana M. Giftos, Certified Shorthand Reporter
(State of Illinois License #084-003571)
My commission expires 07/24/07.



<p>A Aana 1:10 30:3.21 ability 9:9 able 16:17 20:1 about 7:5 8:23 9:17 9:20.22 11:11.16 11:17.18.22 13:3 26:8.22 27:4 28:3 accordance 3:13 acquaintances 6:11 acquaintanceships 6:11 active 7:10.11 actually 5:2 12:19 14:15 16:22.23 22:15 23:18 Adams 2:2 address 3:15.18.21 5:16 advice 10:15 advised 20:4.6 affix 30:17 aforsaid 29:9.11 30:9.11 after 21:18.24 22:7 24:12.19 afternoons 16:16 afterwards 30:10 again 23:3.12 29:10 Against 7:20 8:10 ago 6:8 agreed 18:23 agreement 3:14 11:15 ahead 4:23 26:4 Akeson 16:23 17:5 17:5.10.11 Akesons 16:23 Allegiant 6:6 allowed 9:4 alluded 22:9 already 22:6</p>	<p>and/or 14:5 another 16:24 28:1 answer 25:6 answers 12:3.3 anymore 6:3 anyone 10:21 15:24 anything 9:7 21:7 apparently 23:6 appear 18:11 24:17 APPEARANCES 1:14 2:1 appeared 30:4 appears 18:13 20:17 23:8 applicant 12:7 application 5:6 14:4 17:18 approached 7:2 appropriate 13:15 14:8 16:1 April 24:19 area 4:7 16:6.7 areas 16:5 article 18:19 19:6 articles 22:9 asbestos 6:17 asked 8:3 14:10 16:14.24 17:3.6 asking 8:13 11:9 15:3 16:22 assume 14:15 24:2 assuming 24:3 assumptions 24:7 attached 2:23 attempted 5:8 attend 11:19 12:10 17:21 22:11 attended 11:20 17:15 22:5 23:12 23:13 attorney 3:8 9:4 authenticate 18:8 Avenue 3:19</p>	<p>aware 9:2.7.8.11.12 14:21 15:5.5.6 21:6.10.16.21 away 15:10.10</p> <p>B bachelor 5:23 back 12:18 19:16 24:16 25:12 background 5:22 Barney 4:3 based 5:2 9:23 11:10 15:23 basically 16:13 19:6 22:2 25:14 basis 10:5 14:2 Baxter 6:5 became 21:5.10.21 become 6:23 before 1:1.10 21:10 21:22 22:14 29:1 29:20 30:5 behalf 1:19.23 2:3 7:12 16:12 being 3:2 18:8 believe 14:6 18:6 19:3 20:7 23:14 24:14 Beth 17:5.10.11 between 9:1 23:6 Bill 28:3 birthday 10:6 Black 1:21.21 Blumenshine 8:19 board 1:2.6 4:18.20 5:5.14 9:1.3.9.14 11:4 14:3.7.23 15:6.18 16:1 17:18.22 18:2 19:19.24 20:3 21:1.3 29:2.6 board's 23:14.15 both 11:15 18:21</p>	<p>18:22.23 bottom 23:20 24:9 24:21 breach 11:14 18:17 18:21.24 19:3.4 22:10 break 14:11.19 26:9 BRIAN 1:17 brief 26:9.12 broker 4:4 Brown 1:21.21 Bucklar 16:14 burden 12:6</p> <p>C call 4:20 5:5.8.14 11:8 22:10 called 1:9 6:6 17:5 19:4 23:17 came 5:10 9:3 10:16 case 12:2 cases 11:2 15:6 casually 8:20 Cathryn 3:7.12 Cathy 1:9 2:3.10 3:1.17 19:11 23:21 28:8 29:17 30:6 Cathy's 3:16 cause 14:6 30:8 cell 4:8 Certified 30:21 certify 29:8 30:4.7 30:12.14 check 24:15 29:12 checking 4:13 children 10:7 citizen 9:15 12:8 17:9 citizens 7:13.14 8:17 9:1 12:7</p>	<p>20:7 clarify 19:10 clear 14:18 25:1.2 close 21:14 Club 8:14 10:9 28:2 cocktail 27:3 code 4:7 Columbus 1:15 commencing 1:12 comment 9:11 10:22 22:19 25:9 25:11 comments 6:12 22:2 commission 29:23 30:22 communicate 9:5 9:13 15:16 20:5.7 communication 24:16 communications 4:18 24:1 COMPANY 1:3 29:3 complete 29:10 concerned 9:15 11:11.16.21.22 12:7 confident 21:6.12 21:15 confused 22:4 consecutive 12:21 21:18 consider 22:17 consideration 8:2 consisting 29:9 contact 5:11 9:9 10:23 14:2.23 16:1 17:4.10.11 24:9.12 contacted 16:22 24:5</p>
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Exhibit 28

BEFORE THE ILLINOIS POLLUTION
CONTROL BOARD

PEORIA DISPOSAL COMPANY,)
)
 Petitioner,)
)
 -vs-) NO. PCB 06-184
)
PEORIA COUNTY BOARD,)
)
 Respondent.)

The deposition of DIANE STOREY, a material witness herein, called for examination pursuant to notice and the Supreme Court Rules as they pertain to the taking of discovery depositions before Aana M. Giftos, CSR, RPR, and Notary Public in and for the County of Peoria, and State of Illinois, on Monday, October 23, 2006, at 416 Main Street, Suite 1400, Peoria, Illinois, commencing at the hour of 2:00 p.m.

APPEARANCES:

GEORGE MUELLER, ESQUIRE
528 Columbus Street, Suite 204
Ottawa, Illinois 61350
and

JANAKI NAIR, ESQUIRE
BRIAN J. MEGINNES, ESQUIRE
Elias, Meginnes, Riffle & Seghetti, P.C.
416 Main Street, Suite 1400
Peoria, Illinois 61602
on behalf of the Petitioner;

DAVID A. BROWN, ESQUIRE
Black, Black & Brown
101 South Main Street
Morton, Illinois 61550
on behalf of the Respondent;

ALSO PRESENT:

Royal Coulter, PDC;
Chris Coulter, PDC;
Matt Coulter, PDC;
Jeff Coulter, PDC;
Janet LeMaster.

I N D E X

WITNESS

DIANE STOREY

Examination by Mr. Mueller pg. 3

*EXHIBITS

IDENTIFIED

Storey Exhibit No. 44 pg. 26

Storey Exhibit No. 45 pg. 27

Storey Exhibit No. 46 pg. 30

*Indicates exhibits were withdrawn by Petitioner's
counsel; not attached hereto.

1 DIANE STOREY.
2 a material witness herein, being duly sworn, was
3 examined and testified as follows:

4 EXAMINATION

5 BY MR. MUELLER:

6 Q Would you state your full name, please?

7 A Diane Storey.

8 Q Ms. Storey, I understand you have requested
9 the opportunity to record this deposition, and just
10 for the record, we're declining that request, but I
11 did want that in fairness to you to be on the
12 record.

13 A Thank you.

14 Q Let the record show this is the discovery
15 deposition of Diane Storey taken pursuant to
16 subpoena, scheduled in accordance with rules and by
17 agreement of the parties.

18 Ma'am, have you ever had your deposition
19 taken before in any case for any reason?

20 A No.

21 Q I'm going to ask you a number of questions
22 about matters relating in one way or another to the
23 Peoria Disposal Company application for siting
24 approval and the process that people went through

1 use?

2 A Yes, I do.

3 Q What is the number of that?

4 A (309)453-4667.

5 Q Do you have a personal E-mail account that
6 you regularly use?

7 A No. E-mail, oh, yes.

8 Q What is your E-mail address?

9 A Dastorey@sbcglobal.net.

10 Q What is your highest level of education?

11 A Master's.

12 Q In what subject?

13 A Education.

14 Q By the way, who is the person with you
15 today?

16 A Janet LeMaster, L-E-M-A-S-T-E-R.

17 Q What is her relationship to you and her
18 reason for being here?

19 A Friend, support.

20 Q We are going to tell you that ordinarily
21 you do not have the right to be accompanied by
22 anyone other than an attorney in a dep; however,
23 we're going to waive that with regard to
24 Mrs. LeMaster.

1 in terms of reaching a decision on that
2 application.

3 If you don't understand one of my
4 questions, feel free to have me rephrase it.
5 Everything we say is being taken down by a court
6 reporter. So only one of us can talk at a time,
7 and we should avoid trying to cut each other off or
8 talk over each other. Is that clear?

9 A Correct.

10 Q You also need to avoid nonverbal
11 communications such as nodding your head or shaking
12 your head because as I said everything is being
13 taken down. Do you understand that?

14 A I do.

15 Q You understand that you are under oath?

16 A Correct.

17 Q What is your address, ma'am?

18 A 5136 North Montclair Avenue, Peoria
19 Heights, 61616.

20 Q How long have you lived at that address?

21 A Nine years.

22 Q What is your home phone number?

23 A (309)685-2126.

24 Q Do you have a cell phone that you regularly

1 A Thank you.

2 Q Are you employed at the present time?

3 A Yes.

4 Q Where?

5 A District 150, Peoria Heights School
6 District and SEAPCO. I substitute as a teacher and
7 as a registered nurse.

8 Q Approximately, how many hours a week would
9 you work?

10 A As many as they call me. It's a PRN, as
11 needed basis. I was called today but declined to
12 come here.

13 Q When is the last time you worked full-time
14 outside of the home?

15 A One year ago.

16 Q Where was that?

17 A Illinois Department of Public Health.

18 Q What was your position with them?

19 A Health facility surveillance nurse for
20 long-term care facilities.

21 Q If I understand you correctly, you've got a
22 master's in education, but you're an RN, also?

23 A Yes, correct.

24 Q During your career, were you mainly a nurse

Page 7	Page 9
<p>1 or an educator? 2 A Well, when you said throughout my career, 3 do you mean by number of years? 4 Q Yes. 5 A More as a nurse. 6 Q In your job as a nurse in the past, have 7 you had occasion to form acquaintanceships with any 8 of the doctors who participated in or testified at 9 the hearing on this case? 10 A No. 11 Q So you would not know Dr. Parker McRae or 12 Dr. Smith, Dr. McGee, Dr. Zwicky, Dr. Vidas, 13 Dr. McLean or Dr. Lorenz? 14 A On a personal basis? 15 Q Yes. 16 A No. 17 Q What is your marital status, Ms. Storey? 18 A Divorced. 19 Q Do you have any adult children living in 20 Peoria County? 21 A No. 22 Q When did you first learn about the Peoria 23 Disposal Company application? 24 A Will you explain that by application?</p>	<p>1 Q So it's just coincidental that the group 2 was formed around the time or shortly after you 3 learned of PDC's intention to seek expansion? 4 A Coincidental, yes. 5 Q Who was the founder of the group? 6 A It was a group effort. I don't know if 7 there was any founder. 8 Q Are you -- is the group a corporation? 9 A No. 10 Q Just a voluntary association? 11 A Yes. 12 Q Does it have officers? 13 A No. 14 Q Does it maintain a membership list? 15 A No. 16 Q Does it have a mailing address? 17 A No, not officially. 18 Q Were you the principal person responsible 19 for the formation of that group? 20 A No. 21 Q Who would you say the principal person was 22 responsible for the formation of Citizens For Our 23 Environment? 24 A It was a group effort. I can't put it --</p>
Page 8	Page 10
<p>1 Q When did you first become aware of Peoria 2 Disposal Company's request to expand their 3 landfill? 4 A June of last year, 2005. 5 Q Now, you have signed some letters as a 6 representative of a group called Citizens For Our 7 Environment, is that correct? 8 A Correct. 9 Q What is Citizens For Our Environment? 10 A A group of citizens who are concerned about 11 the health and environment of this community. 12 Q When was the group formed? 13 A Last year, 2005. 14 Q Was it formed before or after you learned 15 of the Peoria Disposal Company's intent to seek 16 expansion of their landfill? 17 A After. 18 Q So would it be fair to say that the group 19 was formed for the purpose of participating in the 20 expansion hearing process? 21 A No. I don't think it's fair to say that. 22 It was formed -- Citizens For Our Environment can 23 be about any environmental issue. This was just 24 one issue that happened to be -- come up.</p>	<p>1 that responsibility on any one person including 2 myself. 3 Q Well, who were the other individuals that 4 were part of the group effort? 5 A Tom was there. 6 Q That would be Tom Edwards? 7 A Tom Edwards, yes. 8 Q Anyone else? 9 A I can't remember everybody, just -- 10 Q Was it your idea to form this citizens 11 group? 12 A Not necessarily. 13 Q Does that mean that it might have been your 14 idea? 15 A I may have contributed, but -- 16 Q Was it Mr. Edwards' idea to form the group? 17 A I can't speak for him. 18 Q There's another group he's associated with 19 called River Rescue? 20 A Correct. 21 Q Is this a separate organization from River 22 Rescue? 23 A Yes. 24 Q Are you a member of River Rescue?</p>

1 A No.
2 **Q Are you a member of the Sierra Club?**
3 A No.
4 **Q Are you a member of Peoria Families Against**
5 **Toxic Waste?**
6 A No.
7 **Q Have you ever been a member of any of those**
8 **groups that I just mentioned?**
9 A No.
10 **Q And does Citizens For Our Environment have**
11 **regular meetings?**
12 A I will clarify. It has meetings but not
13 necessarily regular.
14 **Q When's the last time your group had a**
15 **meeting?**
16 A I would offhand say April maybe.
17 **Q Where did that meeting take place at?**
18 A It took place in various restaurants.
19 **Q Were any of those meetings ever recorded?**
20 A Recorded such as?
21 **Q I notice you brought a tape recorder here**
22 **today and wanted to record this meeting. So you**
23 **apparently understand about the technology of**
24 **recording voices.**

1 A No, they're not.
2 **Q How many members do you have?**
3 A I don't know. It's an open policy
4 membership.
5 **Q Can you tell me approximately how many you**
6 **have?**
7 A I would say 20.
8 **Q Has the group raised any money?**
9 A No.
10 **Q Has the group spent any money?**
11 A Yes.
12 **Q What has Citizens For Our Environment spent**
13 **money on?**
14 A The website.
15 **Q What's the address -- the address of the**
16 **Citizens For Our Environment website?**
17 A Citizensforourenvironment.com.
18 **Q Is that actively maintained at the present**
19 **time?**
20 A Yes.
21 **Q Who arranged for the acquisition of that**
22 **domain name?**
23 A I did.
24 **Q Who controls the content on the website?**

1 A Yes.
2 **Q Were any of your Citizens For Our**
3 **Environment meetings ever recorded in the same way?**
4 A No.
5 **Q Who was present at the April meeting?**
6 A I can't recall.
7 **Q Can you recall anyone that was present?**
8 A I can't recall myself even. I may have
9 been there myself. It varied.
10 **Q Well, I'm just interested in the most**
11 **recent meeting that you had, if you can recall the**
12 **name of any particular person that might have been**
13 **there?**
14 A Myself.
15 **Q Was Mr. Edwards there?**
16 A I don't remember.
17 **Q Did Mayvis Young ever come to any of your**
18 **meetings?**
19 A Sometimes.
20 **Q Did John and/or Cindy McLean ever come to**
21 **any of your meetings?**
22 A Sometimes.
23 **Q Are they members of Citizens For Our**
24 **Environment?**

1 A I do.
2 **Q Other than you and Mr. Edwards, can you**
3 **name any other members of Citizens For Our**
4 **Environment?**
5 A No.
6 **Q Now, you brought with you some documents**
7 **that appear to be printouts of the various pages on**
8 **your website, is that correct?**
9 A Correct.
10 **Q Are you the author of all of these**
11 **documents?**
12 A No, I am not.
13 **Q Who is the author of them?**
14 A I am an author of part of them and Tom
15 Edwards is author of some of them. Bill Rutherford.
16 **Q Pardon me?**
17 A William L. Rutherford.
18 **Q Anyone else?**
19 A That's all.
20 **Q There are some photographs that apparently**
21 **are on your website?**
22 A Correct.
23 **Q Who provided those photographs?**
24 A I did.

1 Q Where did you get them from?
2 A My camera.
3 Q These are all photographs taken by you?
4 A Yes.
5 Q These pictures that you took were on the
6 landfill tour?
7 A Correct.
8 Q Now, some of the pictures I'm looking at
9 appear to be in what I will call a sepia tone --
10 A That's my --
11 Q -- or is that your printer?
12 A Yes. It was running out of ink.
13 Q Are they displayed in color on the website?
14 A Yes, they should be.
15 Q When did you tour the PDC facility?
16 A About a year ago.
17 MR. ROYAL COULTER: November 14th.
18 2005.
19 BY MR. MUELLER:
20 Q Have you been on the property at any other
21 time?
22 A No.
23 Q Did you go to the property for the purpose
24 of counting trucks with other individuals shortly

1 being there was to demonstrate against continued
2 operations at the facility?
3 A No.
4 Q Isn't it true that another purpose in your
5 being there was to discourage trucks from entering
6 or leaving the facility?
7 A No.
8 Q You were strictly there to count?
9 A To count trucks?
10 Q Yes.
11 A That's -- I guess so.
12 Q Do you remember how many people were there
13 on the day that you were there to count trucks?
14 A No.
15 MR. ROYAL COULTER: I can tell you
16 that, too.
17 BY MR. MUELLER:
18 Q Now, what was your understanding of the
19 procedure that was going to be used by the county
20 board in making a decision on the PDC application?
21 A To review the evidence.
22 Q And what was your understanding of what the
23 decision was going to be based on?
24 A The evidence.

1 after May 3rd, 2006?
2 A Would you repeat that?
3 Q Did you go to the PDC property for the
4 purpose of counting truck traffic shortly after
5 May 3rd, 2006?
6 A I didn't go on the property.
7 Q Were you outside the property at that time?
8 A I was outside the property.
9 Q What was your purpose in being there?
10 A It was a wonderful, beautiful day. We were
11 looking at the trucks.
12 Q Any other purpose?
13 A No.
14 Q We had heard that it was cold out that day
15 actually.
16 A Breezy but nice, clear.
17 Q How many trucks did you count?
18 A I don't recall.
19 Q How long were you at the site?
20 A Maybe a couple of hours.
21 Q Did you keep any written record of the
22 number of trucks you counted?
23 A No.
24 Q Isn't it true that the purpose in your

1 Q Was it also your understanding that the
2 evidence would be brought out at the public
3 hearing?
4 A The evidence brought out by who?
5 Q By anyone that wanted to bring evidence
6 out?
7 A Yes.
8 Q Now, if all of those things were your
9 understanding, why did you communicate with county
10 board members outside of the hearing process?
11 A Would you repeat that, please?
12 MR. MUELLER: If you would read it
13 back, please.
14 (Record read as requested.)
15 THE WITNESS: My understanding that
16 we're allowed to communicate with county board
17 members. They're public officials.
18 BY MR. MUELLER:
19 Q What was the purpose of those
20 communications, though?
21 A To give information.
22 Q Information that you wanted board members
23 to consider in making their decision?
24 A Information to consider, yes.

1 **Q So you weren't content with just**
2 **information that the county board members would**
3 **receive at the public hearing? You wanted them to**
4 **have additional information that would be given to**
5 **them privately by you, is that correct?**

6 A Well, when you say the word content,
7 information was given to them by me.

8 **Q Let me ask it another way. You've**
9 **testified that you understood that the county board**
10 **was to make its decision based on the evidence that**
11 **came out at the public hearing, correct?**

12 A Yes.

13 **Q But you felt it was necessary to give them**
14 **additional information outside the public hearing**
15 **that you wanted them to use in making their**
16 **decision, right?**

17 A Yes.

18 **Q Well, don't you think that that was really**
19 **then violating the whole purpose of trying to get a**
20 **decision made based on the evidence at the public**
21 **hearing?**

22 A No, not a violation. You use the word
23 violation.

24 **Q Then what did you think it was if it wasn't**

1 hearing or not. During the hearing? Let's
2 clarify. You're saying that when I went to the
3 office it was during the hearing?

4 **Q It was while the application was pending,**
5 **wasn't it --**

6 A During the application.

7 **Q -- Mrs. Storey?**

8 A It was during the application time.

9 **Q And my question then is, would it have been**
10 **appropriate in your mind for Mr. Meginnis or I**
11 **during the application time to go to board members'**
12 **offices to give them additional information?**

13 A I don't know. I can't answer that.

14 **Q Did you visit any other board members at**
15 **their home or office besides Mr. Prather?**

16 A Yes.

17 **Q Who else?**

18 A Mr. Elsasser.

19 **Q When did you visit him?**

20 A I don't recall.

21 **Q Would it be during the application time as**
22 **you called it?**

23 A You have to define the application time so
24 I have this correct. Give me the dates.

1 a violation?

2 A As a citizen of Peoria County, we have a
3 right to talk with them. We have freedom of
4 speech.

5 **Q Now, did you think PDC had the same right**
6 **that they could contact board members privately**
7 **outside the hearing process?**

8 A You say privately. If I write -- I don't
9 know.

10 **Q Well, let's see. You went to Mr. Prather's**
11 **house to talk to him?**

12 A I did not go to his home.

13 **Q Where did you talk to Mr. Prather at?**

14 A His office.

15 **Q That was a private contact, correct?**

16 A That was a contact.

17 **Q Was anyone from PDC present during that**
18 **meeting?**

19 A I was not aware.

20 **Q Do you think it would have been all right**
21 **for me or Mr. Meginnis to go to board members'**
22 **offices while the hearing was going on to give them**
23 **additional information?**

24 A I don't know if they went during the

1 **Q How about November 9th, 2005, through**
2 **May 3rd, 2006.**

3 A Okay. During that time?

4 **Q Yes.**

5 A Yes.

6 **Q What was your purpose in going to visit**
7 **him?**

8 A Give information.

9 **Q What information did you give him?**

10 A A letter, information from Tom Edwards.

11 **Q Did he receive that information from you?**

12 A I gave it to him.

13 **Q I mean, he didn't reject it and say I'm not**
14 **supposed to take anything from you, did he?**

15 A No. I'm sorry.

16 **Q You were busy writing. Can you tell me**
17 **what you just wrote?**

18 A Why?

19 **Q Well, I asked you a question. You started**
20 **writing something, Mrs. Storey. I assume it**
21 **pertains to the question or the answer, and I'm**
22 **just interested in what these notes are that you're**
23 **making.**

24 A I can ask you the same question.

1 Q Mrs. Storey, do you -- are you willing to
2 tell us what you just wrote or aren't you?
3 A It's just what you said.
4 Q So you're writing my questions down?
5 A That one I did.
6 Q Can you answer that question?
7 A I had put down that I gave the paper to
8 Mr. Elsasser without him refusing it.
9 Q So the answer to my question then he did
10 not refuse to take the paper?
11 A Correct.
12 Q What was your purpose in visiting
13 Mr. Prather?
14 A To give him information.
15 Q What information did you seek to give him?
16 A A letter by Tom Edwards.
17 Q Did he take it or did he refuse it?
18 A He took it.
19 Q Did you visit anyone else besides those two
20 board members?
21 A No, I don't recall.
22 Q Did you attempt to visit anyone else
23 besides those two board members?
24 A Yes.

1 A Yes.
2 Q You asked them to reconsider their
3 position, didn't you?
4 A I said please consider.
5 Q Well, I'm looking at a letter here to Tom
6 O'Neill that says, Please consider the --
7 reconsider the impact of expanding the hazardous
8 toxic landfill.
9 A Okay, yes.
10 Q Now, did you participate in the public
11 hearing?
12 A Yes.
13 Q Did you participate in the public hearing
14 as a representative of Citizens For Our
15 Environment?
16 A Yes.
17 Q Were you given an opportunity to
18 participate as fully as you wanted to?
19 A Yes.
20 Q What additional information then did you
21 feel it was necessary to give to the board members
22 that you couldn't provide at the public hearing?
23 A My opinion.
24 Q You were not prevented from giving your

1 Q Who else did you attempt to visit?
2 A I don't recall.
3 Q As closely as you can remember, what was
4 the date on which you visited Mr. Prather at his
5 office?
6 A I don't recall. It would have been
7 January.
8 Q Pardon me?
9 A January.
10 Q January sometime?
11 A Yes.
12 Q All right. I notice that you also sent
13 letters between April 6th and May 3rd to those
14 county board members who voted on findings that
15 would have been favorable to Peoria Disposal
16 Company, is that right?
17 A Would you repeat that?
18 Q Did you send letters between
19 April 6th and May 3rd to board members who
20 voted on findings that were favorable to PDC?
21 A Yes.
22 Q That would be to Mr. Polhemus, Pat Hidden,
23 Tom O'Neill, Robert Baietto, Tim Riggerbach and
24 Sharon Kennedy, correct?

1 opinion at the public hearing, though, were you?
2 A No.
3 Q If I were to show you a letter to William
4 Prather dated April 25th which says, Thank you
5 for your effort and research on the landfill
6 application. I enjoyed talking with you not long
7 ago and know that you realize how hard Tom has
8 worked on this also, would that refresh your
9 recollection as to when you talked to Mr. Prather?
10 A Who was that to?
11 Q Mr. Prather.
12 A I don't recall that.
13 (Storey Exhibit No. 44 marked)
14 BY MR. MUELLER:
15 Q I'm going to show you a copy of a letter
16 and the envelope that went with it that we're going
17 to mark as Exhibit 44 and ask you if that refreshes
18 your recollection as to when you wrote to
19 Mr. Prather and when you spoke to him.
20 A Okay.
21 Q Does that refresh your recollection as to
22 when you would have visited Mr. Prather to speak
23 with him?
24 A Yes, yes, sir.

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1 **Q When did you visit him now?**
 2 A Sometime in April.
 3 **Q By the way, Exhibit 44 that I just showed**
 4 **you, is that a true and correct copy of a letter**
 5 **that you wrote to him?**
 6 A Yes, my signature.
 7 (Storey Exhibit No. 45 marked)
 8 BY MR. MUELLER:
 9 **Q Then I will show you what's been marked as**
 10 **Exhibit -- or what's going to be marked as**
 11 **Exhibit 45. These are some documents that you**
 12 **actually were kind enough to present to us today**
 13 **and ask you if each of those letters in there is a**
 14 **true and correct copy of letters that you sent to**
 15 **the board members whose names appear on them?**
 16 A Repeat the question.
 17 **Q I think the question was, are the letters**
 18 **that you're looking at now true and correct copies**
 19 **of letters that you actually sent to board members**
 20 **on the dates indicated?**
 21 A Well, this letter I don't have dates. I
 22 didn't -- that was the problem. So it's close as
 23 well as I can remember. A lot of stuff I didn't
 24 keep. The others --

1 A Actually, it was incorrect. I'm not the
 2 treasurer.
 3 **Q Who is the treasurer?**
 4 A I think it was Grace somebody.
 5 **Q Not treasurer of the Sierra Club, treasurer**
 6 **for Citizens For Our Environment?**
 7 A Right. No.
 8 **Q In January of this year, who was the**
 9 **treasurer for Citizens For Our Environment?**
 10 A Well, I started off to be the treasurer but
 11 wasn't able to do it as you have to have a bank
 12 account and I had no bank account. So I couldn't
 13 collect money.
 14 **Q Who initially appointed you to be the**
 15 **treasurer in the event that money came in?**
 16 A I volunteered.
 17 **Q You received no contributions as a result**
 18 **of that listing in the Tall Grass Sierran?**
 19 A I think I received two and --
 20 **Q Do you remember in what amounts you**
 21 **received contributions?**
 22 A No.
 23 **Q Do you remember what you did with those**
 24 **contributions?**

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1 **Q But, otherwise, they're true and accurate**
 2 **copies?**
 3 A As close as I can --
 4 **Q Okay. Did you throw away some letters that**
 5 **you sent to board members?**
 6 A Well, on my computer, I lost some
 7 information and I had a hard time retrieving.
 8 **Q What information did you lose on your**
 9 **computer?**
 10 A The letter but it's in the county board,
 11 It's in the record. It's an open record. No
 12 problem, just couldn't get it. All this was sent
 13 to the board.
 14 **Q Did anyone else appear at the public**
 15 **hearing on behalf of Citizens For Our Environment**
 16 **besides you?**
 17 A I don't recall. I don't think so.
 18 **Q Do you ever read the Tall Grass Sierran?**
 19 A Yes.
 20 **Q In the January-February issue of the Tall**
 21 **Grass Sierran, it's January-February 2006, it lists**
 22 **you as the treasurer of Citizens For Our**
 23 **Environment.**
 24 **Is that a correct statement in that issue?**

1 A I sent them to the Sierra Club to the
 2 treasurer, who was the treasurer of the Sierra
 3 Club.
 4 **Q So you did not keep any money that was**
 5 **contributed?**
 6 A No, I did not.
 7 **Q You didn't spend it either on antilandfill**
 8 **activities?**
 9 A No.
 10 (Storey Exhibit No. 46 marked)
 11 BY MR. MUELLER:
 12 **Q Next exhibit number is going to be 46. Let**
 13 **me show you a group of letters that we're going to**
 14 **mark as Exhibit 46, and these appear to be dated**
 15 **April 17th and appear to be thank yous for a vote**
 16 **against the application on April 6th.**
 17 **If I can show you those, ask you if those**
 18 **are true and accurate copies and did you, in fact,**
 19 **send them to board members.**
 20 A Correct.
 21 **Q What was your purpose in sending out those**
 22 **letters?**
 23 A Thank them for their hard work.
 24 **Q Did you ever have any input into the**

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Page 31	Page 33
1 contents of the Peoria Families Against Toxic Waste 2 website?	1 Q Well, then what unusual clothing did you 2 wear?
3 A No.	3 A Unusual, no.
4 Q Did you personally or anyone on behalf of 5 Citizens For Our Environment contribute toward the 6 cost of any billboards, yard signs or advertising 7 against the proposed expansion?	4 Q Nothing unusual?
8 A No.	5 A Casual clothes.
9 Q Did Mr. Wentworth at the hearing represent 10 Citizens For Our Environment, also?	6 Q Casual clothing. Did you ever wear 7 headbands to a county board meeting?
11 A No.	8 A No.
12 Q Did your group pay any portion of 13 Mr. Wentworth's representation?	9 Q You never wore a headband with a sign on 10 it?
14 A No.	11 A No.
15 Q Did your group contribute anything toward 16 the fees of Mr. Norris or the internet landfill 17 opponent G. Fred Lee?	12 Q Do you remember being at a county board 13 meeting in January of 2006 where you wore a sign on 14 your head that said stop the insanity?
18 A No.	15 A It's not a sign.
19 Q Did you go to county board meetings to 20 express your opinion as well as to public hearings 21 on the landfill expansion?	16 Q What was it?
22 A Yes.	17 A It was a baseball cap.
23 Q What was your purpose in going to the 24 county board meetings?	18 Q The baseball cap had stop the insanity sewn 19 into it?
Page 32	Page 34
1 A To inform. 2 Q And to let them know that you wanted them 3 to vote no?	1 Q Pardon me?
4 A To talk about the water, our environment, 5 our health issues.	2 A One.
6 Q Did you take signs with you to any county 7 board meetings?	3 Q Just the one. What was the insanity that 4 you were having to stop?
8 A What signs are you referring to?	5 A Pollution of our environment.
9 Q Oh, signs such as stop the dump type signs?	6 Q At that point, you hadn't even heard the 7 evidence yet at the public hearing, had you?
10 A No, that I don't recall.	8 A What day did you say that was?
11 Q Did you ever -- were you ever told not to 12 display signs at county board meetings?	9 Q At the January county board meeting.
13 A I don't recall.	10 A No. It wasn't --
14 Q Did you dress in any costumes when you went 15 to county board meetings?	11 Q The February county board meeting?
16 A Could you define costume?	12 A It was afterwards, yes.
17 Q Well, you're here today in what I would 18 consider to be normal business attire.	13 Q Do you still have that stop the insanity 14 hat?
19 Did you wear things like headbands or 20 strange T shirts to county board meetings?	15 A I don't know.
21 A Based on that definition, no.	16 Q When you went to county board meetings, 17 would you typically go there with Mr. Edwards?
22 Q You strictly wore business attire when you 23 went to county board meetings?	18 A Rephrase that question or repeat it.
24 A No.	19 Q Did you ever ride with Mr. Edwards or he 20 with you going to and from county board meetings?
	21 A No.
	22 Q Do you remember going to the April county 23 board meeting?
	24 A Yes.

1 **Q Did you speak out against the landfill at**
2 **that meeting?**
3 A Yes.
4 **Q Is or was Jean Roach a member of Citizens**
5 **For Our Environment?**
6 A Not that I recall.
7 **Q How about Janet Kelly?**
8 A No.
9 **Q How about Nancy Lawless?**
10 A No.
11 **Q How about Ann Kirchgessner?**
12 A Not that I know of.
13 MR. MUELLER: We're going to take a
14 short break. I'm pretty close to being finished.
15 (Recess from 2:45 to 2:52)
16 BY MR. MUELLER:
17 **Q In the materials you brought from your**
18 **website, Ms. Storey, is a photograph of I guess a**
19 **dinner had on May 3rd, after the county vote, is**
20 **that correct?**
21 A Are you referring to that picture
22 (indicating)?
23 **Q Yes.**
24 A Yes.

1 A Yes, this one here (indicating).
2 **Q The one on the right, that says Citizens**
3 **Celebrating After The Vote.**
4 A Correct.
5 **Q That's also at Panache?**
6 A Yes.
7 **Q Who's that wearing the rabbit ears?**
8 A Ann, I believe.
9 **Q Ann who?**
10 A It's a long name. Kirch something.
11 **Q Is she a member of your group or has she**
12 **ever been?**
13 A No.
14 **Q Do you know her personally?**
15 A No.
16 **Q Do you know Jean Roach personally?**
17 A No.
18 **Q Have you ever spoken with her other than in**
19 **the hearing room?**
20 A I may have, may not have known her.
21 **Q Did you or anyone on behalf of Citizens For**
22 **Our Environment ever talk to any board member about**
23 **the fact that they would be opposed in the election**
24 **if they voted for the landfill?**

1 **Q Where was that dinner held?**
2 A Panache.
3 **Q Who was present?**
4 A I see Tom Edwards and I was there. Do you
5 want the people in the picture? I don't know.
6 **Q I'm trying to remember -- trying to know if**
7 **you remember the other people that were at that**
8 **dinner.**
9 **Was it your group only or kind of a**
10 **coalition of other citizen groups as well?**
11 A Yes. Anybody that wanted to go there.
12 **Q Approximately, how many total people would**
13 **you say were there?**
14 A Oh, at least 20, 25.
15 **Q Now, there's some more pictures that you**
16 **have, three more.**
17 **Are they of the same party at the same**
18 **place? Those are the ones that you're looking at**
19 **now, ma'am?**
20 A Here (indicating)?
21 **Q Yes.**
22 A No. This was the hearing.
23 **Q What about the one on the right and the one**
24 **underneath?**

1 A Did you say talk to them? Is that what you
2 said?
3 **Q Yes.**
4 A No.
5 **Q Did you ever indicate that or did anyone on**
6 **behalf of Citizens For Our Environment ever**
7 **indicate that to a board member in some way other**
8 **than talking to them directly?**
9 A Yes.
10 **Q Who was -- who were the board members that**
11 **that was indicated to?**
12 A I don't know specific board members.
13 **Q How was it indicated if it wasn't done**
14 **directly?**
15 A By letter, by informational letter.
16 **Q Now, who wrote those letters?**
17 A Tom Edwards.
18 **Q Your recollection is that the gist of the**
19 **letters was that the board members voted yes on the**
20 **expansion they would -- they could expect**
21 **opposition in the November election?**
22 A Repeat that.
23 **Q Was it your understanding from these**
24 **letters that it was communicated to board members**

1 that if they voted yes on the election they could
2 expect opposition in the November election?
3 A Correct.
4 Q You didn't help write those letters?
5 A No.
6 Q But you saw copies of them?
7 A Yes.
8 Q Did you keep any copies of those letters?
9 A I'm looking. No, no.
10 Q Do you remember if Mike Phelan would have
11 been a board member who received such a letter?
12 A I don't know.
13 Q Do you remember if Tom O'Neill was a board
14 member who would have received such a letter?
15 A I can't recollect.
16 Q Did you ever attempt to communicate in any
17 way with Tom O'Neill during the time the
18 application was pending other than the two letters
19 or the letter that you've already identified to
20 him?
21 A You have to repeat that again.
22 Q Did you ever have any communication with
23 Tom O'Neill other than the letter that's already
24 been identified from you?

1 Q You never attempted to visit Mr. Phelan?
2 A No.
3 Q Why not?
4 A I don't know.
5 Q Did you ever attempt to call him on the
6 phone?
7 A Yes, I did.
8 Q About the landfill application, correct?
9 A Probably.
10 Q Did you ever attempt to call any other
11 board members on the phone?
12 A Yes.
13 Q What other board members did you attempt to
14 call?
15 A Mr. Elsasser.
16 Q Anyone else?
17 A Bill Prather, Mr. Prather.
18 Q Did you ever attempt to talk to or call Jim
19 Thomas?
20 A No.
21 Q Did you ever attempt to talk to or call
22 Lynn Scott Pearson?
23 A I don't recall. I don't think so.
24 Q Did you ever attempt to talk to -- actually

1 A No.
2 Q Did you ever attempt to have any
3 communication with Mike Phelan other than the
4 letter already identified from him?
5 A No.
6 Q Now, you're reviewing some notes here. Are
7 those documents that have been presented to us?
8 A No. It's a list of the board members'
9 names.
10 Q Where did you get that list from?
11 A From Tom.
12 Q It's one of his fliers?
13 A Yes, right.
14 Q Did you ever go door to door to hand out
15 fliers for Mr. Edwards?
16 A Door to door who?
17 Q To the public?
18 A To the public?
19 Q Yes.
20 A Yes.
21 Q What areas did you go door to door in?
22 A My own neighborhood, Peoria Heights.
23 Q Who's your county board member?
24 A Mr. Phelan.

1 talk to or call Carol Trumpe?
2 A No.
3 Q Did you ever talk to -- attempt to talk to
4 or call Phil Salzer?
5 A I take that back. I did. I can't remember
6 all of them. Clarify that. That's why I have the
7 list here because I don't -- I can't remember.
8 Q So Carol Trumpe you did have communication
9 with, is that right?
10 A I may have.
11 Q Does your list indicate there have
12 checkmarks by people that you've actually visited
13 with or talked to on the phone?
14 A No. I didn't do that. I had delivered
15 some fliers and I had to find out where they lived.
16 That's why I called them. I didn't remember all of
17 them.
18 Q When you delivered fliers, did you and Tom
19 Edwards kind of divide up the board for purposes of
20 he'd deliver some and you'd deliver some?
21 A We divided them up because some lived far
22 away.
23 Q Was it the intent of Mr. Edwards and you to
24 give fliers to every single board member?

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1 A Yes, as much as we could.	1 A Well, the best way to define that, he came
2 Q On how many different occasions did you	2 to our meetings, some of them.
3 deliver fliers?	3 Q Did Cindy McLean come to your meetings?
4 A I think two.	4 A Yes.
5 Q Do you remember when that was?	5 Q Did Ted Converse come to your meetings?
6 A No.	6 A No.
7 Q Did you ever call or talk to Brian	7 Q Did Kim Converse come to any of your
8 Elsasser?	8 meetings?
9 A Yes.	9 A No.
10 Q Let's go back. Was it Phil Salzer or Carol	10 Q Do you know Kim or Ted Converse?
11 Trumpe that you remembered calling now that you've	11 A No. By what identification?
12 thought about it?	12 Q Well, other than to identify them. Do you
13 A I don't think I called Mr. Salzer, but, you	13 know them in that you've had a conversation with
14 know, I'm not positive. I want to be clear about	14 them in the past?
15 that.	15 A Only after I was introduced to them, I
16 Q I understand that there were a lot of	16 talked to them.
17 contacts, so they all blend together after a while,	17 Q Kim Converse was at the May 3rd party,
18 right?	18 wasn't she?
19 A Yes.	19 A Yes.
20 Q How about Allen Mayer? Did you ever talk	20 Q Do you know Beth Akeson?
21 to him?	21 A No.
22 A No.	22 Q Pardon me?
23 Q Did you ever talk to Dave Williams?	23 A No.
24 A No.	24 Q Do you know Jeff Akeson?
Page 44	Page 46
1 Q Did you ever talk to Eldon Polhemus?	1 A No.
2 A Yes, I remember him.	2 Q Do you know Joyce Blumenshine?
3 Q Then you would have called him or went to	3 A Yes.
4 his house?	4 Q Did she come to your meetings?
5 A I went to his house, I think.	5 A Yes.
6 Q Did you ever talk to Junior Watkins?	6 Q Do you consider her a member of Citizens
7 A I don't recall. I don't think so.	7 For Our Environment?
8 Q Did you ever talk to Jeff Joyce?	8 A Anyone who wants to come.
9 A No.	9 Q Did Joyce Blumenshine ever help you with
10 Q Now, John McLean identified himself one	10 writing up letters, delivering fliers or any other
11 time as a member of Citizens For Our Environment.	11 task in connection with your work for Citizens For
12 To your knowledge, was he ever or is he a	12 Our Environment?
13 member of your group?	13 A No, no writing letters.
14 A You asked if he came to our meetings. I	14 Q How about any other task?
15 said he did.	15 A She did not help with the website, nothing
16 Q He did?	16 that I can recall.
17 A Yes.	17 Q Do you know Tessie Bucklar?
18 Q So he is a member?	18 A No.
19 A If he wants. Anybody can come.	19 Q Do you know Tom Bucklar?
20 Q Do you have anywhere a list of members of	20 A No.
21 Citizens For Our Environment?	21 Q Do you know Kim Converse other than from
22 A No.	22 having met her at the hearings and being with her
23 Q Well, do you consider John McLean to be a	23 at the May 3rd party?
24 member of Citizens For Our Environment?	24 A No.

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1 Q Do you know Ralph or Jane Converse other	1 A No.
2 than from the hearings?	2 Q Do you know Barb Van Auken?
3 A No.	3 A No.
4 Q Do you know Bill Cook?	4 Q Do you know Mayvis Young?
5 A No.	5 A Yes.
6 Q Do you know Joyce Harant?	6 Q How do you know Mayvis Young?
7 A No.	7 A Through coming to our meetings.
8 Q Do you know Mary Harkrader?	8 Q She would come to your meetings?
9 A No.	9 A Yes.
10 Q The McLeans, John and Cindy came to your	10 Q Was there kind of a steering committee or
11 meetings, you said?	11 executive group that represented all of the
12 A Yes.	12 different various organizations involved in this
13 Q How many did they come to?	13 opposition that would meet periodically?
14 A I could say half a dozen maybe.	14 A You say "steering committee," what do you
15 Q How many meetings did your group have?	15 mean?
16 A I don't know. I never counted them.	16 Q Any kind of group that specifically had
17 Q Did you ever go to any of their meetings of	17 representatives of the various citizen groups that
18 Peoria Families Against Toxic Waste?	18 would meet together for the purpose of coordinating
19 A No.	19 their efforts?
20 Q Do you know Lisa Offutt?	20 A Not that I was aware of.
21 A No.	21 Q For example, we have the Sierra Club,
22 Q Do you know Peter Offutt?	22 Peoria Families, Citizens For Our Environment,
23 A No.	23 River Rescue, were there ever meetings where
24 Q Do you know Chris Ozuna-Thornton?	24 representatives of those four groups would

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1 A Yes.	1 specifically be invited to sit down together to
2 Q How do you know her?	2 coordinate their efforts?
3 A I met her at the party.	3 A I don't know. Not that they said.
4 Q Other than that, have you ever worked	4 Q Do you know Elaine Hopkins from the Peoria
5 together on anything related to the landfill	5 Journal Star?
6 expansion?	6 A Well, if you mean if I know her personally,
7 A No.	7 no. If I've met her since she's been at the
8 Q Do you know Cora Rosson?	8 hearings, that's how I first met her.
9 A Cara.	9 Q Did you ever have any one-on-one
10 Q Cara Rosson?	10 conversations with her other than at the hearing?
11 A Yes, I met her.	11 A No.
12 Q How do you know her?	12 Q Anybody else from the Journal Star that you
13 A I met her at the hearings.	13 had any conversations with?
14 Q Did she ever help you on any project	14 A There was an interview at the hearings.
15 related to the landfill expansion and your	15 Q Do you know a Terry Bibo from the hearings?
16 opposition to it?	16 A No, I don't.
17 A No.	17 Q Or from the Journal Star?
18 Q Do you know Elmo Roach?	18 A No.
19 A No.	19 Q Have you talked to any county board members
20 Q Do you know Amy Schlicksup?	20 since May 3rd?
21 A No.	21 A May 3rd, I don't recall.
22 Q Do you know Bill Scott?	22 Q May we see your list of county board
23 A No.	23 members that you've been referencing to help you
24 Q Do you know Cathy Stevenson?	24 recollect things as I've been asking you questions.

Page 51	Page 53
1 A Sure.	1 outside the hearing process?
2 Q Do you have any other materials from Tom	2 A No.
3 Edwards with you today?	3 MR. MUELLER: That's all I have.
4 A No.	4 Thank you very much.
5 Q Thank you, ma'am.	5 Show signature reserved.
6 Did he -- or did you consult with Tom	6
7 Edwards before this deposition on how to answer	7 (Further deponent saith not.)
8 questions or what approach to take?	8
9 A When you say consult --	9
10 Q Speak to him about the process and what to	10
11 expect?	11
12 A Yes, I did.	12
13 Q When did that conversation take place?	13
14 A This week sometime.	14
15 Q What did Mr. Edwards tell you about what to	15
16 expect?	16
17 A Not much. Tell the truth.	17
18 Q Did he give you any other instructions?	18
19 A Not really.	19
20 Q Did he request that you call him after your	20
21 deposition?	21
22 A No.	22
23 Q Did you talk to anyone else about this	23
24 deposition besides Mr. Edwards?	24

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1 A When you say I talked about the
2 deposition --

3 **Q Well, you know about what to expect**
4 **generally and how to conduct yourself?**

5 A Sure.

6 **Q Who else besides Mr. Edwards did you check**
7 **in with on those issues?**

8 A I called the Center For Health and
9 Environmental Justice and asked them.

10 **Q Where was that organization at?**

11 A I assume Virginia.

12 **Q What guidance, if any, did they give you?**

13 A Basically to tell the truth.

14 **Q That organization is Lois Gibbs'**
15 **organization, isn't it?**

16 A She's the founder.

17 **Q Did you have a chance to talk to her about**
18 **this?**

19 A No.

20 **Q Do you know what the term ex parte**
21 **communication means?**

22 A No.

23 **Q Did anyone ever tell you that you should**
24 **not be communicating directly with board members**

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BEFORE THE ILLINOIS POLLUTION
CONTROL BOARD

PEORIA DISPOSAL COMPANY,)
)
Petitioner,)
)
-vs-) NO. PCB 06-184
)
PEORIA COUNTY BOARD,)
)
Respondent.)

I hereby certify that I have read the foregoing transcript of my deposition given on October 23, 2006, at the time and place aforesaid, consisting of pages 3 through 53 inclusive, and I do again subscribe and make oath that the same is a true, correct and complete transcript of my deposition so given as aforesaid.

Please check one:

_____ I have submitted errata sheet(s).

No corrections were noted.

Diane Storey
DIANE STOREY

Subscribed and sworn to before me this 17th day of November, 2006.

Rachel L. Wilson
Notary Public



My commission expires 9-16-08.

STATEMENT OF CHANGE OR CORRECTION

I, **DIANE STOREY**, do hereby state that I have read the foregoing transcript of my deposition taken on October 23, 2006, and that it is true and correct except as may be noted below.

PAGE LINE

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WITNESS: Diane Storey
DIANE STOREY

I certify that this deposition was signed in my presence by _____ on the _____ day of _____, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on this _____ day of _____, 2006.

Notary Public

Exhibit 29

ALSO PRESENT:

Royal Coulter, PDC;
Chris Coulter, PDC;
Matt Coulter, PDC;
Jeff Coulter, PDC;
Mr. Young.

I N D E X

WITNESS

MAYVIS YOUNG

Examination by Mr. Muelier pg. 3

EXHIBITS

None marked.

1 MAYVIS SUE YOUNG,
2 a material witness herein, being duly sworn, was
3 examined and testified as follows:

4 EXAMINATION

5 BY MR. MUELLER:

6 Q Would you state your full name, please?

7 A Mayvis Sue Young.

8 Q Ms. Young or Mrs. Young, I guess, I'm going
9 to take your deposition today regarding some
10 matters related to the Peoria Disposal Company
11 application, and I want to go through a couple of
12 ground rules with you.

13 Number one, you are here pursuant to a
14 subpoena that was served on you. You are required
15 to answer truthfully. You are under oath.

16 Do you understand those things?

17 A Yes, I do.

18 Q Secondly, everything that's being said is
19 being taken down by a court reporter, and that
20 means that only one of us can talk at a time. I
21 will let you finish your answers and not talk over
22 you and ask that you do me the same courtesy. Is
23 that clear?

24 A Yes, sir.

1 should also say let the record show this is the
2 discovery deposition of Mayvis Young taken pursuant
3 to subpoena, scheduled by agreement and in
4 accordance with the rules.

5 Ma'am, what is your address?

6 A 1512 Holly Hedges, 61614.

7 Q That's in Peoria?

8 A Yes.

9 Q Are you employed?

10 A No.

11 Q When were you last employed outside the
12 home?

13 A When did we sell the business?

14 MR. YOUNG: 1997, somewhere along
15 there.

16 BY MR. MUELLER:

17 Q Mrs. Young, we have consented to allow your
18 husband to be here because you requested that;
19 however, he cannot participate. Some of these
20 questions are just general background and --

21 A So I should have said in that case that I
22 don't know the exact date or I don't remember
23 because I don't remember.

24 Q Ma'am, if you don't remember, you don't

1 Q Do you have any questions for me about the
2 process that we're doing today?

3 A Yes. Am I allowed to ask questions? Am I
4 allowed to ask for clarification? Am I allowed to
5 have a transcript when this is all over; and, if
6 so, I would like to have a copy of the transcript.

7 Q Those are actually very good questions, and
8 I will try to answer all of those. The first one
9 is, no, you're not allowed to ask me questions;
10 however, you are allowed to get clarification and
11 explanation on any questions that I ask that you
12 don't understand.

13 A That's what I meant by that.

14 Q If I ask you something and it's not clear
15 to you, fairness dictates that I make it clear, and
16 you certainly have the right to do that.

17 A And what if I feel the question is
18 irrelevant to the case at hand?

19 Q Let's cross that bridge when we come to it.
20 I will try to confine myself to relevant questions.

21 A Okay.

22 Q There will be a transcript generated which
23 you will obviously have a right to review.

24 With that having been said, I think I

1 remember. We don't grade you on your memory,
2 believe it or not.

3 Now, what is your highest level of
4 education?

5 A High school and I didn't finish but I
6 started into college and got very sick and had to
7 drop out. So it's really just completed high
8 school.

9 Q Do you have an E-mail account?

10 A No.

11 Q So you do not have E-mail at home?

12 A No.

13 Q What is your telephone number, ma'am?

14 A 689-1512.

15 Q Do you also have a cell phone?

16 A I share with my husband.

17 Q What is that number?

18 A I very seldom use it. It is 630 -- I
19 rarely use it. He always uses it.

20 Q If you don't know it, that's fine.

21 A I don't know.

22 Q If I can be indelicate for one second, what
23 is your age, ma'am?

24 A 66.

1 **Q You're here with your husband today, is**
2 **that correct?**
3 A Yes.
4 **Q Where is he employed?**
5 A Eggroll Express and just part-time.
6 **Q Did you bring any documents or records with**
7 **you today that are responsive to the rider that was**
8 **attached to your subpoena?**
9 A No.
10 **Q Is there a reason why you did not bring any**
11 **documents?**
12 A Yes. I brought the receipt from having to
13 buy a new computer. I had -- anything that was
14 done on my computer would not come up with
15 anything. I couldn't get any program on or
16 anything, and we tried and all my stuff was on that
17 hard drive.
18 I put the address of where we took the
19 computer, and you can call them. My husband took
20 the thing, and they smashed it right in front of
21 him because they told him that's policy. Here's
22 the receipt and here's the date of when that
23 happened.
24 **Q Now, you indicate that you don't have an**

1 **Q Do you have any copies of anything at home**
2 **that you would have previously turned in to the**
3 **Peoria County clerk?**
4 A No. It was all in my computer. I figured
5 I was done with it.
6 **Q Did you use E-mail at any time during this**
7 **hearing like such as a yahoo account from work or**
8 **anything like that?**
9 A No.
10 **Q I'm looking at the receipt that you gave**
11 **me. There's a reference to yahoo mail.**
12 A That's his computer. That's how he ordered
13 my new computer through his computer.
14 **Q "His" meaning your husband's?**
15 A Yes.
16 **Q So he's got E-mail access?**
17 A Yes, but I never use it. You can check
18 with my children.
19 **Q I believe you, ma'am.**
20 A They've never received an E-mail from their
21 mother during that period because I just don't play
22 with the thing. I only use it for -- I had carpal
23 tunnel surgery. So it's hard for me to write.
24 That's the only reason why I got a computer because

1 **E-mail account?**
2 A No.
3 **Q But you have a computer?**
4 A Yes. I use it for word processing, typing
5 letters, stuff like that.
6 **Q So you do not communicate via E-mail?**
7 A No.
8 **Q Is that true for the period of**
9 **November 9th, 2005 through May 3rd, 2006?**
10 A Yes.
11 **Q All of your saved letters were on your hard**
12 **drive which crashed. Am I understanding that none**
13 **of that could be retrieved?**
14 A You couldn't get the thing to do nothing
15 but have a solid blank come up. That's it.
16 **Q Did you keep any hard copies of any letters**
17 **that you have sent out in the past?**
18 A No. And, actually, if you go back into the
19 records, things that I said were all given at any
20 meeting, the paperwork and that. So -- and I had
21 already turned that in by the time designated on
22 the last day to turn it into the Peoria County
23 clerk. So that's -- all my stuff is right in
24 there.

1 I can put it at a soft touch and I don't have the
2 problem with this hand. It alleviates that.
3 **Q I saw that you recently filed a public**
4 **comment with the Pollution Control Board in this**
5 **case?**
6 A Yes, I did.
7 **Q Was that done on your old computer or your**
8 **new computer?**
9 A On my new computer.
10 **Q You did not bring a copy of that comment**
11 **with you here today either, did you?**
12 A No.
13 **Q So there are some documents on your new**
14 **computer that would have been responsive to our**
15 **request to produce?**
16 A That would have been the only one because
17 that's the only thing I've done concerning this
18 issue because after I got the deposition it was
19 like, oh, please, we don't want this overturned.
20 **Q Now, Mrs. Young, when did you first become**
21 **aware of the Peoria Disposal facility?**
22 A Not until I heard Lois Gibbs. I knew there
23 was a disposal because every city has to have --
24 take their garbage someplace and things, but the

1 exact location and everything I did not know.
2 **Q So when did you hear Lois Gibbs?**
3 A Seems like she spoke at Bradley in May.
4 **Q May of 2005?**
5 A 2005. An article was in the newspaper and
6 I remember the incident and so forth, and I thought
7 I've got to go hear this great woman speak. So I
8 went up there to hear her talk.
9 **Q Would it be fair to say that after that**
10 **point you kind of got mobilized as somebody who was**
11 **going to work against the application?**
12 A I would say -- I always have quiet time
13 every morning, and my conscious said, You want your
14 city healthy. You want this community healthy.
15 That's what I kept hearing, and it just said,
16 You've never done anything like this before, but
17 there's always a first time.
18 **Q By the way, how many people attended that**
19 **meeting at Bradley that Lois Gibbs spoke at?**
20 A I don't know. I didn't count people. I
21 only show up to go to things that interest me. I
22 show up and I don't have --
23 **Q Was it, you know, a large auditorium full**
24 **of people or 20, 30 people in a small room?**

1 A It was a small group. I can tell you that.
2 There was something -- there was another function
3 because I was really surprised that there weren't
4 more people because I often go to public lectures
5 or things that pique my interest and see a large
6 quantity of people. Sometimes I don't.
7 **Q Did Lois Gibbs, did she describe a strategy**
8 **for defeating one of these applications?**
9 A No. She -- as best to my recollection, she
10 was just telling -- what stuck in my mind was the
11 horrendous effects of something like that. That's
12 what really just shook me to the core.
13 **Q Now, you attended the public hearings last**
14 **February?**
15 A Yes, I did.
16 **Q I assume that you listened carefully to all**
17 **the evidence?**
18 A I tried to, but this is a long time for --
19 and how many hours starting at that time in the
20 morning and ending in the afternoon. That's a long
21 time, and most people's attention spans and
22 everything --
23 **Q Do you remember hearing evidence --**
24 A That's not normal.

1 **Q I'm sorry for talking over you. Do you**
2 **remember hearing evidence at the public hearing**
3 **that Love Canal which is where Lois Gibbs is from**
4 **isn't anything like what's happening at Peoria**
5 **Disposal Company, that they are really apples and**
6 **oranges?**
7 A That's what I heard from Lois Gibbs was
8 apple and oranges compared to PDC?
9 **Q Do you understand my question?**
10 A I'm thinking about it. That's why I'm
11 pausing here.
12 **Q Take your time.**
13 A I just know the references were made to
14 Lois Gibbs.
15 **Q Do you have anything else to add on that**
16 **answer?**
17 A No.
18 **Q Before all of this project got started, had**
19 **you ever gone to any county board meetings?**
20 A No.
21 **Q You decided you were going to start going**
22 **to county board meetings to put in your two cents**
23 **on this?**
24 A I decided like I have when things aren't

1 right to be able to use my right to voice my
2 opinion.
3 **Q So you decided to start going to county**
4 **board members, correct, or to county board**
5 **meetings?**
6 A Yes.
7 **Q Did you know Tom Edwards before this**
8 **process started?**
9 A Now, you have to define what do you mean by
10 know?
11 **Q Did you know him in any way, shape or form**
12 **before all of this got started?**
13 A Now, I need to clarify again. Let's say --
14 I will give you an example. I walk into this room
15 and I see your two sons. I see them and let's say
16 after next week or something I go into a restaurant
17 or any public place and I see your two sons again.
18 Does that qualify me as knowing them?
19 And let's say I read their names in the
20 newspaper or something because I read the papers
21 and I know some people in that through the
22 newspaper.
23 **Q Let me ask it another way. You've made**
24 **your point.**

1 **Did you -- had you ever spoken with Tom**
2 **Edwards before you started going to county board**
3 **meetings?**

4 A No. Just would see him at different -- on
5 occasion at different places or at a different
6 lecture or something. That's seeing him, but to go
7 up and say, I'm Mayvis Young and who are you
8 because I see you at places I go, no.

9 **Q Mrs. Young, have you ever been involved in**
10 **any other civic causes or projects that you got**
11 **involved in before this one?**

12 A Yes.

13 **Q When was the last time you were involved in**
14 **something?**

15 A High school.

16 **Q So between high school and now, you've not**
17 **been involved in any kind of civic projects where**
18 **you started going to meetings and speaking your**
19 **mind, is that correct?**

20 A Wait. I got to qualify that. If you call
21 going to, like, when we had, I don't know how many
22 years ago, but there was a calling to see if we
23 could bridge more gaps in this community between
24 races. I did attend that meeting and things like

1 that.

2 **Q Did anyone ever explain to you either**
3 **directly or in a group what the rules were for how**
4 **the county board was going to make the decision on**
5 **this landfill expansion?**

6 A Would you repeat that question?

7 **Q Did anyone ever explain to you in a group**
8 **or individually what the rules were for how the**
9 **county board was going to make its decision on the**
10 **landfill expansion?**

11 A Yes, I did.

12 **Q Who did you learn those rules from?**

13 A I asked about procedures. Carol Trumpe, I
14 called her to ask her about procedures.

15 **Q When do you remember calling her?**

16 A I don't recall the exact date, but I do
17 recall and I know I called her twice on asking
18 about just procedures.

19 **Q Would that have been before the public**
20 **hearing?**

21 A Yes.

22 **Q And do you remember what she told you?**

23 A She just told me that they listen and they
24 vote and they make their decision off of what facts

1 that they gather and listen to. That's all.

2 **Q You've written a number of letters to**
3 **county board members, right?**

4 A Not to individuals. I would say I pass
5 them a letter of what I stood up and said, and
6 that's what you have in the records. That's not
7 sending them to their homes or anything like that.

8 **Q Were you ever told at a board meeting that**
9 **you attended that the right time to make your**
10 **comments was going to be at the public hearing?**

11 A Was I told that the right time to make my
12 comments should be at the public hearings?

13 **Q Yes.**

14 A Now, I know it was brought out at the
15 county board meeting, and I think the chairman,
16 Mr. Williams, made that announcement that we would
17 have that time, I think to the best of my
18 recollection.

19 **Q The reason I'm asking is because we have**
20 **transcripts of county board meetings, the regular**
21 **county board meetings from January, February, March**
22 **and April 2006 where you spoke out against the**
23 **landfill at every one of those meetings.**

24 A Yes. We have a right to.

1 **Q What makes you believe that you have that**
2 **right?**

3 A Because I'm a citizen of the United States
4 of America.

5 **Q All right. Did anyone ever explain to you,**
6 **though, that this particular decision was supposed**
7 **to be made based only on the evidence that came in**
8 **at the public hearing?**

9 A I still stand on citizen's rights in the
10 United States.

11 **Q So --**

12 A That takes precedence.

13 **Q So what you're saying is you understood**
14 **what the rule was, but the right of citizens takes**
15 **precedence over that rule?**

16 A I think you're trying to put some words in
17 my mouth.

18 **Q That's my job, ma'am.**

19 A Okay.

20 **Q So --**

21 A I think you're trying to put words in my
22 mouth here.

23 **Q You're the one that said you think rights**
24 **of citizens to speak out has precedence, not me.**

1 **My question, Mrs. Young, is if you**
2 **understood that the decision of the county board**
3 **was supposed to be made based on the evidence and**
4 **only the evidence, why did you go to county board**
5 **meetings and present views there when that wasn't**
6 **part of the public hearing?**

7 A I think that public hearing and that in the
8 newspaper did not come out. When this first
9 started, there had not been any public hearings set
10 up. So I think there's a little fallacy here.

11 **Q Well, but you're speaking to the county**
12 **board as recently as March and April after the**
13 **public hearings had already come and gone, weren't**
14 **you?**

15 A I attended the meeting.

16 **Q Did you collect any signatures on**
17 **petitions?**

18 A Yes. I did.

19 **Q What was the purpose of collecting**
20 **signatures on petitions if the decision was**
21 **supposed to be made based on the evidence?**

22 A This decision involves the public, our
23 community, our environment, our health, our water
24 and our soil, and if we don't stand for something,

1 we don't stand for anything.

2 This is given rights that all human beings
3 have world globally. This is why people need to
4 know what is going on because ignorance is the
5 number one killer. This is public information, and
6 that's why we have the right as citizens to speak
7 out and to stand for something.

8 **Q So that takes precedence over the evidence**
9 **that would have come in at the public hearing, is**
10 **that correct?**

11 A For me, yes, it would.

12 **Q And --**

13 A Because first I am a living entity, a human
14 being with rights to life as everybody else.

15 **Q Are you a member of the Sierra Club?**

16 A No.

17 **Q Have you ever been to any of their**
18 **meetings?**

19 A No.

20 **Q Are you a member of Peoria Families Against**
21 **Toxic Waste?**

22 A No.

23 **Q Have you ever been to any of their**
24 **meetings?**

1 A No.

2 **Q Did you donate any money to either of those**
3 **groups?**

4 A No.

5 **Q Did you spend any money of your own on this**
6 **project other than incidental money for postage,**
7 **paper and so forth?**

8 A No.

9 **Q Do you remember --**

10 A I heard what you just said. I spent money
11 for postage because I sent that letter to the HEPA,
12 and I did spend money on the paper.

13 **Q You did send a letter to the county board**
14 **members who voted no to the expansion, didn't you?**

15 A I spoke that. I went up there after the
16 hearings were over and I thanked them for listening
17 and for participating and what I felt was a very
18 good example of true American democracy in action.
19 I was very proud that we had this.

20 **Q Did you send a letter to the county board**
21 **members who voted yes for the expansion?**

22 A I just got up in front of the whole county
23 board and said what I just told you. I don't
24 recall sending out letters to them but speaking out

1 loud to them.

2 **Q Let me show you, ma'am, a document which**
3 **purports to be a letter, it's addressed to the**
4 **honorable county board members who voted for the**
5 **expansion and it's signed sincerely Mayvis Young.**
6 **It's dated April 2006 and ask you if --**

7 A Yeah, I spoke that. I spoke different
8 things. I didn't write personal letters to
9 everybody and send out.

10 **Q Did you send a copy of that letter to those**
11 **board members?**

12 A I spoke out loud. Most of my things were
13 spoken out loud.

14 **Q So your --**

15 A I would just write -- I would just write
16 whatever I was going to say because I'm not used to
17 public speaking; so, therefore, I would type this
18 out and then get up and speak it.

19 **Q When did you type that out and get up and**
20 **speak it?**

21 A I'm surprised I don't have a date on this.

22 **Q It says 4/2006 down next to your name at**
23 **the bottom.**

24 A That's when I did it.

1 **Q Where would you have spoken that to the**
2 **county board?**

3 A At their meeting place where they have
4 their monthly meeting.

5 **Q If we can tell you that we can't find those**
6 **comments in the county board transcript for April,**
7 **would that refresh your recollection as to whether**
8 **or not you mailed that to the county board?**

9 A No. It wouldn't, no.

10 **Q So you never mailed anything to the county**
11 **board?**

12 A Not that I can remember. All I remember is
13 everything both there and the city council and that
14 was always given in person. Everything I did was
15 public. Nothing -- except for writing a comment
16 and mailing it to the Journal Star and that. Now,
17 that wasn't spoken.

18 **Q Did you carry signs with you to county**
19 **board meetings?**

20 A Yes. I did one time, and they said that
21 wasn't appropriate. I didn't know it until they
22 told me. Then I put it down.

23 **Q Did you go to the Peoria Disposal landfill**
24 **after May 3rd to try to demonstrate about the**

1 **Q Where did this meeting take place where it**
2 **was decided to show up at the landfill?**

3 A I'm not sure because sometimes we would
4 have people interested in the same thing like the
5 first time was at the public library and another
6 time it would be at this restaurant or another
7 restaurant. So I can't remember which place, the
8 exact place because we moved around.

9 **Q Who did you meet with at the public**
10 **library?**

11 A There was a call given out to anybody
12 interested in this issue for our city to come to
13 the public library on such and such a date at such
14 and such a time, and I answered that call.

15 **Q Now, when you say you answered that call,**
16 **what do you mean?**

17 A It wasn't a telephone call. It seemed like
18 it was in writing in the paper. There was a little
19 snip or something that told me just like I go to
20 other events, something in the media that let me
21 know that if I were interested I could go to the
22 public library.

23 **Q Do you remember who ran that meeting?**

24 A Yes.

1 **ongoing operation of the landfill?**

2 A I need some clarification on that one.

3 **Q Let's break it down. Did you go to the**
4 **Peoria Disposal Company landfill shortly after**
5 **May 3rd, after the vote?**

6 A After the vote? To my recollection, I went
7 before the vote.

8 **Q What was the purpose of your visit?**

9 A Just to see how many trucks come in and out
10 of that place.

11 **Q Did you go with anyone?**

12 A I went by myself but others showed up, but
13 I didn't go with somebody.

14 **Q Was there a plan that you were aware of**
15 **that other people were going to show up as well?**

16 A A plan?

17 **Q Was that an organized event where you knew**
18 **other people were going to show up?**

19 A I would have to answer that truthfully,
20 yes, but we did not know or take head count. We
21 said if you want to come, come or show up. It
22 wasn't like I signed something and said I
23 definitely will be there at such and such and so
24 and so. If you want to go and see --

1 **Q Who?**

2 A Tom Edwards and that would be really the
3 first time when you use the word did I know, that's
4 where I actually did some exchanging of words, I am
5 so and so and I am interested.

6 **Q How many people did you have at that**
7 **library meeting?**

8 A It surprised me. There was I think six
9 people to my recollection.

10 **Q Six besides yourself?**

11 A No, six including myself which surprised
12 me.

13 **Q Who were the other four besides you and**
14 **Edwards?**

15 A Okay. Cindy and John McLean and Mary Moore
16 and Joyce Blumenshine. I was surprised that there
17 were so few of us that would answer.

18 **Q When did the meeting take place?**

19 A Seems like to me I heard Lois Gibbs, and it
20 was maybe a month and a half after that.
21 something -- I'm not exactly sure because I don't
22 write a lot of things and I don't carry calendars.
23 I live such a simple life I don't need all that
24 extra stuff. I don't even carry a purse. I doubt

1 if you ever saw me carry a purse to any of those
2 meetings.

3 **Q So your best recollection is it was about a**
4 **month and a half after Lois Gibbs talked?**

5 A It was long enough that my conscious --
6 every time I would be in my quiet time, I will just
7 say it, I call it my prayer time before I go to
8 sleep and when I get up in the morning.

9 **Q Now, you said you also had meetings at**
10 **restaurants?**

11 A Yes.

12 **Q What were the restaurants?**

13 A Avanti's, Ing's, Panera's, that one over
14 in -- by Venture or used to be Venture, that one.

15 **Q Now, was it basically the same small group**
16 **of people that showed up at each of these meetings?**

17 A Yes, but I wasn't really affiliated with
18 any certain group. I was also interested in
19 getting information and learning information about
20 this issue.

21 **Q That's my next question actually. Why**
22 **didn't you join up with the McLeans in the Peoria**
23 **Family Against Toxic Waste group?**

24 A Because I came into this -- I know it's

1 A Yes.

2 **Q Whose home did you go to?**

3 A I went to Dave Williams to deliver, nothing
4 I wrote, but what Tom wrote, and I also went to
5 Junior Watkins and Sharon Kennedy and she wasn't
6 home. That was it.

7 Oh, no, and to Rigenbach to deliver the
8 letter from Tom. None of this was mine. I only
9 did what my guidance told me to do. That's why I
10 couldn't belong to any group because I did not
11 agree with things and found things unnecessary and
12 that I was incapable of doing some of the things
13 that I might be asked to do.

14 So, their -- I just didn't participate. I
15 just strictly run by what I hear from my higher
16 guidance. Been that way. Gets me into a lot of
17 trouble, but I follow it because it's always been
18 right for me. The top of the line is the man
19 upstairs.

20 **Q So you -- you did help Mr. Edwards and**
21 **delivered some things personally to board members**
22 **for him?**

23 A Not things, just one thing, only once. I
24 read it and it was right to my gut feeling. So I

1 going to sound quirky but it's the truth for me, I
2 came in this because spiritually that's what I was
3 led to do and that's why I'm here without an
4 attorney again.

5 The minute that deposition was served me I
6 have very -- and this again sounds quirky. I have
7 very good communications with spirit, and it told
8 me right away. I looked through these papers and
9 that and I in spirit just said, Just cool it. Go
10 there and have fun. You have nothing to be ashamed
11 of. You have nothing to feel guilty about. Your
12 conscious is clear.

13 If the Lord stood on this table, I have no
14 problem knowing that I had not done anything wrong
15 but stand up for and was led to what is the highest
16 and best for everyone and everything involved.

17 **Q Mayvis, other than your two phone calls to**
18 **Carol Trumpe, did you ever talk to any other county**
19 **board member on the phone about this decision?**

20 A No, not that I can remember. I only
21 remember knowing -- wanting to know about
22 procedures.

23 **Q Did you ever go to the home of any county**
24 **board member?**

1 did it.

2 **Q Weren't you aware by that point that all of**
3 **the communicating was supposed to be done in the**
4 **hearing and you weren't supposed to take things**
5 **directly to people's homes?**

6 A Again, freedom of speech, freedom.

7 **Q Now, you said something that's very**
8 **interesting. You said you didn't join the Peoria**
9 **Families group because you didn't necessarily agree**
10 **with all of what they were doing.**

11 A Yes. Some of that expenses and stuff to me
12 is not necessary.

13 **Q Can you tell me what they were doing that**
14 **you didn't agree with?**

15 A Yes.

16 **Q Go ahead.**

17 A This table is not going to like what I'm
18 about to say but for me it rings true. I just
19 don't feel like at many times that you need all
20 these big wigs brought in, lawyers and expense when
21 common sense can tell you and listening to your gut
22 feelings and from higher power can give you the
23 same answers that you're going to pay horrendous
24 for, and common sense will tell you without having

1 to hear it come out of a \$450 per hour law fee or
2 what have you. I can't help it. That's the way I
3 feel.
4 **Q Can you tell us where lawyers can get**
5 **450 an hour because we want to talk to Mr. Coulter**
6 **about that?**
7 A Well, I can give you an example real easy.
8 My mom just passed away and we were thinking about
9 asking -- in fact, we did. We called a lawyer and
10 asked what would it cost to look over the trust and
11 all this kind of stuff. \$450 an hour. That's what
12 the lawyer gets paid. So I said hogwash with it.
13 **Q Were there any specific examples of things**
14 **that you recall disagreeing with from the meetings**
15 **that you went to with the other opponents?**
16 A No. Because I really didn't go to their
17 meetings. I wasn't interested. I was only
18 interested in following and doing what I was
19 hearing that was my part and that I could do and
20 could do within my capacity.
21 I don't have a lot of what you call
22 educational smarts, certificates, degrees, but it
23 seems like since I've been alive the standing up
24 for what is right has just been borne into me.

1 says anything that does harm.
2 **Q I'm going to show you what's been marked as**
3 **an exhibit here, 38. Is that a sign that you made**
4 **up?**
5 A I thought of a portion of that.
6 **Q Who helped you with this sign?**
7 A From what I understand, the lady at the
8 print shop did, but to have a sign and that, yeah.
9 I thought of trying to make a sign.
10 **Q Whose print shop was that?**
11 A Browns, it's on -- it's practically at --
12 across the street from the Walgreen's of Sheridan
13 and Glen.
14 **Q You didn't have this made up at Converse**
15 **Marketing, did you?**
16 A What? I don't know that place or anything
17 about -- never heard that name before.
18 **Q Did you pay to have those signs printed?**
19 A I didn't pay.
20 **Q Do you know who paid for them?**
21 A No, I don't.
22 **Q Well, you said you went to the print shop**
23 **and they helped with you the layout.**
24 A No, no, no. I went to that print shop and

1 That's all. It's gotten me into a heap of trouble
2 all the way -- well, not trouble, but you might say
3 little challenges.
4 MR. MUELLER: We're going to take
5 about a three- or four-minute little recess here,
6 and we may be done or close to it. So we'll be
7 right back.
8 (Recess 12:10 to 12:13)
9 BY MR. MUELLER:
10 **Q Mayvis, do you remember going to a Peoria**
11 **City Council meeting and saying that maybe**
12 **Mr. Coulter and Mr. Meginnes should stick their**
13 **heads over those PDC pipes at the facility?**
14 A Did I say something like that?
15 **Q Well, I'm asking if you remember saying**
16 **that.**
17 MR. ROYAL COULTER: I remember you.
18 THE WITNESS: Well, I don't remember,
19 but if they remember, it's good enough for me
20 because that's 1, 2, 3 just said that.
21 BY MR. MUELLER:
22 **Q I mean, was that the higher power that had**
23 **you making that suggestion?**
24 A No, I don't think so. I don't -- it never

1 had some copies of the petitions made one time so I
2 could take them out and get more signatures.
3 **Q What about this sign?**
4 A I don't know the origin nor do I know who
5 paid for that. I do not know.
6 **Q Do you know who paid for the billboards?**
7 A No, I do not. Like I said, I went in as an
8 individual and I still am an individual. I was
9 only interested in the welfare of this community,
10 and that's all I still am very concerned about and
11 globally.
12 **Q Did Joyce Blumenshine pay for the**
13 **billboards, to your knowledge?**
14 A I don't know. I didn't ask those questions
15 because I wasn't into the money part. I didn't do
16 any of that money part stuff. I only take care of
17 myself.
18 **Q Did anyone ever help you with any of your**
19 **expenses?**
20 A No.
21 **Q Now, you also had some pins or buttons that**
22 **you made up to wear to county board meetings,**
23 **right?**
24 A Yes.

1 **Q Did anyone help you pay for the costs of**
2 **those?**

3 A No.

4 **Q Did you make them up yourself?**

5 A Yes.

6 **Q Did you try to hand them out to board**
7 **members?**

8 A I put them in a packet.

9 **Q So you did give pins to board members?**

10 A I didn't tell them they had to wear them.

11 I just put them in the packet.

12 **Q What else was in the packet?**

13 A I don't actually remember. I tried
14 thinking about that before I came here. I remember
15 I gave them the very first time a packet, but I
16 didn't -- like I said, I didn't keep anything for
17 myself, so I don't remember.

18 I know I gave them a copy of what I was
19 going to say and I know I put the pin in there, but
20 outside of that, I don't really know or recall
21 because I didn't keep things.

22 **Q Would that have been like some things of**
23 **Tom Edwards' that might have been in the packet,**
24 **too?**

1 **one hour?**

2 A I didn't keep those notes either. Once I
3 got my curiosity satisfied -- I remember I had a
4 little notebook, but then I threw it away. I just
5 don't accumulate things.

6 MR. MUELLER: Mrs. Young, that's it.
7 I have no other questions.

8 MR. BROWN: You're free to go.

9 MR. MUELLER: Show signature reserved.

10 MS. NAIR: I will take care of that,
11 send it to me.

12 THE WITNESS: When will I get a copy
13 of it?

14 MR. MUELLER: Actually, let's talk
15 about that very briefly. You have the right to
16 read the deposition before it can be used for any
17 purpose only to make sure that it's typed up
18 accurately.

19 THE WITNESS: Only the right to read
20 it?

21 MR. MUELLER: Well, you can purchase a
22 copy, but you've got a right to read it to make
23 sure it's transcribed accurately.

24 Do you want to do that or do you want to

1 A I really don't remember if I put items of
2 his in it or not. I don't remember. My husband
3 can tell you that I don't keep a lot of stuff. If
4 you come to my house, things are pretty clean,
5 clear. I'm not a clutter person.

6 **Q How many times how you been on the PDC**
7 **site?**

8 A Oh, my gosh, you had us there for a
9 meeting, a tour.

10 MR. ROYAL COULTER: November 14th of
11 2005.

12 BY MR. MUELLER:

13 **Q So you were there for a tour once. Any**
14 **other times besides the time that you went to count**
15 **vehicles?**

16 A No.

17 **Q By the way, that counting trucks, that was**
18 **also kind of intended to be a little demonstration,**
19 **wasn't it?**

20 A No. I just wanted to know for personal
21 knowledge.

22 **Q How long were you there?**

23 A Maybe an hour.

24 **Q How many trucks did you count during your**

1 trust the court reporter?

2 THE WITNESS: Well, I'm getting the
3 feeling that maybe I should just buy a copy of just
4 what I said so I know nothing is twisted around or
5 done.

6 MR. MUELLER: Before you can even buy
7 one, you've got to read it and sign it to make sure
8 it's accurate unless you want to give up that right
9 and trust that the court reporter will do it
10 accurately.

11 THE WITNESS: So in order to get a
12 copy, I have to sign -- read it first and sign it?

13 MR. MUELLER: Or you can waive your
14 signature and just order a copy directly.

15 THE WITNESS: Having not read it?

16 MR. MUELLER: That's correct.

17 THE WITNESS: I would prefer to read
18 it.

19 MR. MUELLER: Show signature reserved,
20 and Janaki Nair will be contacting you or Mr. Brown
21 when the transcript is ready for you to review.

22

23 (Further deponent saith not.)

24

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