

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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OCT - 9 2014

ROXANA LANDFILL, INC.

Petitioner,

vs.

No. PCB 15-65

VILLAGE BOARD OF THE VILLAGE OF
CASEYVILLE, ILLINOIS;
VILLAGE OF CASEVILLE, ILLINOIS; and
CASEYVILLE TRANSFER STATION, L.L.C.

(Pollution Control Facility Siting Application)

STATE OF ILLINOIS
Pollution Control Board

Respondents.



ORIGINAL

**RESPONDENTS', VILLAGE BOARD OF THE VILLAGE OF CASEYVILLE AND
VILLAGE OF CASEYVILLE, ILLINOIS, OBJECTIONS TO PETITIONER ROXANA
LANDFILL, INC.'S INTERROGATORIES AND DOCUMENT PRODUCTION
REQUESTS**

The Respondents, Village Board of the Village of Caseyville and the Village of Caseyville, Illinois, by and through their attorneys, Weilmuenster Law Group, P.C., Object to the following Interrogatories and Document Production Requests:

INTERROGATORIES

6. Please identify all persons with the Village Board or Village of Caseyville who were subject to *ex parte* rules during the siting process, by providing their name and position with the Village of Caseyville.

Objection: The interrogatory is vague and ambiguous as to the *ex parte* rules being referenced. The interrogatory improperly calls for a legal conclusion as to who is subject to "*ex parte* rules."

7. Please identify any and all communications that occurred between the date on which Caseyville Transfer Station, L.L.C. alleges it filed its siting application with the Village of Caseyville and the date the Village Board of the Village of Caseyville voted to approve that siting application, between Caseyville Transfer Station, L.L.C. and the Village of Caseyville subject to *ex parte* rules during the siting process, including but not limited to the Village Board

Members or Trustees of the Village of Caseyville and the Mayor of the Village of Caseyville. In answering this Interrogatory, please identify the following:

- a. The persons participating in the communication;
- b. The date(s) of each communication;
- c. The form of the communication (e.g., email, telephone call, in person meeting, fax, written correspondence, etc.); and
- d. The subject matter of the communication.

Objection: The interrogatory is vague and ambiguous as to the *ex parte* rules being referenced. The interrogatory improperly calls for a legal conclusion as to who is subject to “*ex parte* rules.”

DOCUMENT PRODUCTION REQUESTS

6. Please produce all documents concerning, relating to, or documenting communications between Village of Caseyville staff and Village of Caseyville Board Members or Mayor from the date the Caseyville Transfer Station, L.L.C. siting application is alleged to be filed to the date of the Village Board of the Village of Caseyville’s decision on that application.

Objection: The production request is vague, overly broad, unduly burdensome and not reasonably calculated to lead to relevant information.

7. Please produce all documents concerning, relating to, or documenting communications between Caseyville Transfer Station, L.L.C. and Village of Caseyville Board Members or Mayor from January 2013 to present, unless otherwise produced pursuant to Request 6, above.

Objection: The production request is vague, overly broad, unduly burdensome and not reasonably calculated to lead to relevant information.

8. As respects the Village Board and Village of Caseyville only: please produce all documents concerning Caseyville Transfer Station, L.L.C.

Objection: The production request is vague, overly broad, unduly burdensome and not reasonably calculated to lead to relevant information.

Respectfully Submitted,

WEILMUNSTER LAW GROUP, P.C.

BY: 
J. Brian Manion
IL No. 06283445

3201 West Main Street
Belleville, IL 62226
(618) 257-2222 – phone
(618) 257-2030 – fax

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the attorneys of record of all parties to the above cause by enclosing same in an envelope addressed to such attorneys at their business address as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing said envelope in a U.S. Post Office Mail Box in Belleville, Illinois, on the 6th day of October, 2014.

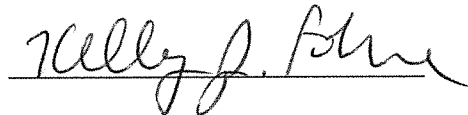
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STATE OF ILLINOIS
Pollution Control Board

October 6, 2014

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St.
Suite 11-500
Chicago, IL 60601

RE: Roxana Landfill, Inc. v. Village Board of the Village of Caseyville, Illinois, et al.; No. PCB 15-65

Dear Mr. Therriault:

Enclosed please find an original and one copy of Respondents' Objections to Petitioner Roxana Landfill, Inc.'s Interrogatories and Document Production Requests in the above referenced matter and return a file stamped copy of same to the undersigned in the envelope provided. Thank you for your cooperation and assistance.

Very truly yours,

WEILMUENSTER LAW GROUP, P.C.

By: _____


J. Brian Manion

JBM/kjf
Enclosures

cc: Jennifer J. Sackett Pohlenz
Carol Webb
Donald Moran
Penni S. Livingston
Robert Sprague

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