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COUNTY OF ST. CLAIR ss

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of St. Clair and State of Illinois, fo  
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mentioned, and that a notice of wh  
the annexed is a true printed copy,  
been published in said newspa  
ONCE, the publication ther  
having been made in the issue of s  
newspaper, published on January  
2014.

**PUBLIC NOTICE**

**NOTICE OF INTENT TO FILE  
A REQUEST FOR LOCAL SITING APPROVAL  
OF A NEW POLLUTION CONTROL FACILITY  
WITHIN THE VILLAGE OF  
CASEYVILLE, ILLINOIS**

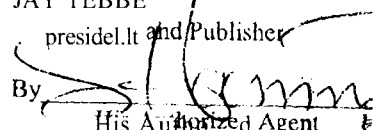
YOU ARE HEREBY NOTIFIED pursuant to Section 39.2(b) of the Illinois Environmental Protection Act, 415 ILCS 5/39.2(b) (the 'Ad') that the Applicant, Caseyville Transfer Station, LLC, an Illinois limited liability company whose address is 290 South Main Place, Suite #101, Carol Stream, Illinois 60188, will file its request for siting approval for a new pollution control facility with the Village of Caseyville, Illinois on February 10, 2014. In its request for siting approval, the Applicant will seek approval to site and operate a station as defined by Section 3.500 of the Act, 415 ILCS 5/3.500. The proposed facility would be a non-hazardous transfer station which will accept non-hazardous waste for temporary daily storage, consolidation and further transfer to a waste disposal treatment facility. The Applicant will develop and operate the transfer station only as approved by the Illinois Environmental Protection Agency, other applicable regulatory agencies, and as authorized by applicable law and regulations. The waste accepted for transfer will be municipal waste by residential, commercial and industrial sources. The proposed facility has a life of a minimum of twenty (20) years. The property on which the proposed transfer station is to be located is as follows: A five (5) acre parcel, more or less, situated directly southeast of the intersection of Bunker Road and the Harding Ditch, in Section 15 of Canteen Township, St. Clair County, Illinois, within the municipal boundaries of Caseyville, Illinois, and consisting of portions of the Parcels identified by the St. Clair County Assessor as PIN Numbers 02-15-400-028, 02-15-400-029 and 02-15-400-030.

**YOUR RIGHT TO COMMENT ON THE REQUEST:** A COPY of the application for local siting approval shall be available for public inspection at the office of the Village Clerk of the Village of Caseyville, 909 South Main Street, Caseyville, Illinois 62732, and may be copied upon payment of the actual cost of reproduction. Any person may file a written comment with the Village Clerk concerning the appropriateness of the proposed site for the intended purpose. In making its final determination, the Village Board of Trustees shall consider any comment received or postmarked not later than 30 days after the date of the last public hearing on the application, and all such comments shall become part of the record of proceedings of the Board of Trustees. At least one public hearing is to be held by the Board of Trustees no sooner than 90 days but no more than 120 days from the receipt of the application for site location approval. Notice of this hearing will be published in a newspaper of general circulation.

Respectfully submitted,

CASEYVILLE TRANSFER STATION, LLC  
John P. Siemsen, Manager

L-70402500 (Jan. 23)

JAY TEBBE  
president and Publisher  
By   
His Authorized Agent

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AD NUMBER: 704

000180

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ROXANA LANDFILL, INC.,	)	
	)	
PETITIONER,	)	
	)	
vs.	)	NO. PCB 15-65
	)	(Third Party Pollution
	)	Control Facility Siting
	)	Appeal)
VILLAGE BOARD OF THE	)	
VILLAGE OF CASEYVILLE,	)	
ILLINOIS; VILLAGE OF	)	
CASEYVILLE, ILLINOIS; AND	)	
CASEYVILLE TRANSFER	)	
STATION, LLC,	)	
	)	
RESPONDENTS.	)	
_____	)	
	)	
VILLAGE OF FAIRMONT CITY,	)	
ILLINOIS,	)	
PETITIONER,	)	
	)	
	)	NO. PCB 15-69
vs.	)	(Third Party Pollution
	)	Control Facility Siting
	)	Appeal) (CONSOLIDATED)
VILLAGE OF CASEYVILLE,	)	
ILLINOIS; BOARD OF TRUSTEES)	)	
AND CASEYVILLE TRANSFER	)	
STATION, LLC.	)	
	)	
RESPONDENTS.	)	

DEPOSITION OF ROBERT WATT  
TAKEN ON BEHALF OF THE PETITIONER  
OCTOBER 22, 2014

Elizabeth A. Goodwin, RPR, IL-CSR, MO-CCR  
CSR No. 084.004310, CCR No. 831

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(Original Exhibit retained by counsel.)  
(Copy of Exhibit attached to transcript.)

1                   BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

2       ROXANA LANDFILL, INC.,            )

3                   PETITIONER,                    )

4                   vs.                                )

NO. PCB 15-65  
(Third Party Pollution  
Control Facility Siting  
Appeal)

6       VILLAGE BOARD OF THE            )

7       VILLAGE OF CASEYVILLE,        )

8       ILLINOIS; VILLAGE OF            )

9       CASEYVILLE, ILLINOIS; AND    )

10       CASEYVILLE TRANSFER         )

11       STATION, LLC,                    )

12                   RESPONDENTS.                    )

13       \_\_\_\_\_                            )

14       VILLAGE OF FAIRMONT CITY,       )

15       ILLINOIS,                        )

16                   PETITIONER,                    )

17                   vs.                                )

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19       ILLINOIS; BOARD OF TRUSTEES)    )

20       AND CASEYVILLE TRANSFER     )

21       STATION, LLC.                    )

22                   RESPONDENTS.                    )

23                   DEPOSITION OF ROBERT WATT, produced, sworn,

24       and examined on behalf of Petitioner, OCTOBER 22,

25       2014, between the hours of 5:45 in the evening and

26       7:00 in the evening of that day, at Village of

27       Caseyville, 909 South Main Street, Caseyville, IL

28       62232, before Elizabeth A. Goodwin, RPR, MO-CCR,

29       IL-CSR.

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A P P E A R A N C E S

Petitioner Roxana Landfill represented by  
Ms. Jennifer Pohlenz of Clark Hill, PLC, 150 N.  
Michigan Ave. Suite 2700, Chicago, IL 60601.

Respondent Caseyville Transfer Station  
represented by Ms. Penni S. Livingston of Livingston  
Law Firm, 5701 Perrin Road, Fairview Heights, IL  
62208.

Petitioner Village of Fairmont City  
represented by Mr. Donald J. Moran of Pedersen &  
Haupt, 161 N. Clark Street Suite 3100, Chicago, IL  
60601.

Respondent Village Board of the Village of  
Caseyville, Illinois and Village of Caseyville,  
Illinois represented by Mr. J. Brian Manion of  
Weilmuenster Law Group, P.C., 3201 West Main Street,  
Belleville, IL 62226.

Also Present: John Siemens, Esq.

1 IT IS HEREBY STIPULATED AND AGREED by and  
2 between counsel for the Petitioners and counsel for  
3 the Respondents, that this deposition may be taken in  
4 shorthand by Elizabeth A. Goodwin, a Registered  
5 Professional Reporter, Certified Shorthand Reporter  
6 and Certified Court Reporter, and afterwards  
7 transcribed into typewriting, and the signature of the  
8 witness is waived by agreement of counsel and the  
9 witness.

10 0-0-0

11 ROBERT WATT,  
12 of lawful age, being produced, sworn and examined on  
13 the part of the Petitioner, and after responding "Yes,  
14 I do" to the oath administered by the court reporter,  
15 deposes and says:

16 \* \* \* \* \*

17 [EXAMINATION]

18 BY MS. POHLENZ:

19 Q Mr. Watt, can you please state your full  
20 name and spell it for the court reporter?

21 A It's Robert Watt, R-O-B-E-R-T, W-A-T-T. No  
22 "s".

23 Q And my name is Jennifer Sackett Pohlenz.  
24 Thank you for coming tonight. This is your discovery

1 deposition in the matter concerning the Caseyville  
2 Transfer Station siting approval.

3 Have you been deposed before?

4 **A No. I've got a good record of not being, so**  
5 **now it's over.**

6 Q Okay, excellent. Well, I am honored to be  
7 the first.

8 MS. LIVINGSTON: Blame her.

9 Q (By Ms. Pohlenz) So, let me go over some very  
10 easy ground rules of deposition. I'm sure your  
11 attorney has as well. Sometimes I speak a little  
12 quietly, so if I speak in a way that you can't hear  
13 me, please let me know.

14 **A All right.**

15 Q And if I ask a question that you don't  
16 understand, please let me know.

17 **A Okay.**

18 Q Is it fair if I ask a question and you  
19 answer it, for me to assume that you could hear it and  
20 you could understand it?

21 **A Yes.**

22 Q Another ground rule is that I have to wait  
23 until you're done answering and you need to wait for  
24 me to ask a question because our lovely court reporter

1 is typing everything we say and we don't want her to  
2 have to take down two conversations overlapping.

3 **A Okay. All right.**

4 Q So what position do you hold with the  
5 Village of Caseyville?

6 **A I'm the Village Clerk.**

7 Q As Village Clerk can you describe for me  
8 your duties and responsibilities?

9 **A I take care of all the records,**  
10 **recordkeeping, meeting minutes; I sign checks with the**  
11 **Mayor for whatever bills and stuff we have; make sure**  
12 **the meetings are on time; general administrative type**  
13 **stuff.**

14 Q Okay. As Village Clerk are you the only  
15 person who can accept for filing or file a document  
16 with the Village of Caseyville?

17 **A Yes.**

18 Q As the Village Clerk are you the only person  
19 who can accept for filing or file a document, such as  
20 the Caseyville Transfer Station, LLC application for  
21 site location approval with the Village of Caseyville?

22 **A As far as the application, yes.**

23 Q Correct.

24 On behalf of the Village of Caseyville, as



1 the Village Clerk, did you file the four binder  
2 application for site location approval of Caseyville  
3 Transfer Station, LLC on February 10th, 2014?

4 **A Is that the first day?**

5 Q That is -- February 10th, 2014 is -- I don't  
6 understand what you mean by "first day"?

7 **A I mean, the first time we actually saw the**  
8 **application, is that what you're asking?**

9 Q I'm asking on February --

10 **A When did I receive it?**

11 Q Let me ask it this way then.

12 **A All right.**

13 Q What's the first date that you received the  
14 siting application?

15 **A I can't -- I can't recall the actual date.**  
16 **I know that the -- I don't think it was the February**  
17 **10th. That's because we didn't know it was already**  
18 **delivered.**

19 Q Okay. On February 10th, 2014, did you file  
20 a siting application for Caseyville Transfer Station,  
21 LLC?

22 **A I don't think so. I don't know. I can't**  
23 **answer that.**

24 Q Okay. It's my understanding that on

1 February 18th -- let's see -- February 19th, 2014 is a  
2 Wednesday and there would have been a Village board  
3 meeting; is that accurate?

4 **A I'd have to look at the calendar. I can't**  
5 **say if that's accurate or not.**

6 Q Okay. Let me see if I can get a calendar  
7 for you and we can take a look at it.

8 MR. MORAN: February 19th, you said?

9 MS. POHLENZ: Correct.

10 MR. MORAN: I believe that's a Wednesday.

11 MS. POHLENZ: Yes.

12 Q (By Ms. Pohlenz) And Wednesdays are the  
13 Village board meetings; correct?

14 **A It depends on what -- if it's the third**  
15 **Wednesday or if it's the first Wednesday.**

16 Q Sure. Let's see. Here is just a general  
17 year calendar and I -- we can make a copy of this on  
18 the copier. But here's -- what did I say February.  
19 So here's February 2014 and this is general -- it has  
20 all the months of the year on it.

21 **A That would have been the third Wednesday,**  
22 **that would have been a regular board meeting, yes.**

23 Q Okay. And do you recall making a statement  
24 to someone -- or do you recall whether it was first on

1 February 18th, 2014 that you received a box of four  
2 binders in the mail consisting of the Caseyville  
3 Transfer Station, LLC siting application?

4 **A I don't recollect that, no.**

5 Q Okay. Do you recall with reference to that  
6 Village board meeting when it first became -- came to  
7 your attention that you -- there was a Caseyville  
8 Transfer Station, LLC application that existed?

9 **A Okay.**

10 Q Where was it in reference to that board  
11 meeting?

12 **A I don't recollect when the first person**  
13 **actually came in to look at it and I don't -- can't**  
14 **recollect the exact day that Mike Mitchell had it in**  
15 **his office. I don't know if it was before or after or**  
16 **during that.**

17 Q Okay.

18 **A It could have been before because I know**  
19 **that an applicant did come in, we didn't have it the**  
20 **first time, second time he came in, we had it. We**  
21 **knew it was in the box and we brought it in here for**  
22 **them to look at it. I can't tell you the exact date.**

23 Q Okay. So tracking back to what you just  
24 said. When you said an applicant came in, was that

1 Caseyville Transfer Station, LLC or was that just  
2 someone from the public?

3 **A Somebody from the public that came in.**

4 Q Okay. And do you recall that person's name?

5 **A Nope, sure don't.**

6 Q Okay. So, at some point someone came in and  
7 asked for a siting application.

8 **A Yep.**

9 Q And you didn't know what they were talking  
10 about; is that correct?

11 **A I knew what they were talking about but we  
12 didn't have it at the time.**

13 Q Okay.

14 **A I didn't know it was actually delivered yet.**

15 Q Okay. And do you recall whether this was  
16 after the February 10th, 2014 date?

17 **A I can't -- I can't say yes or no.**

18 Q Okay. So you don't know when this was?

19 **A Right, exactly.**

20 Q Did anyone from Caseyville Transfer Station,  
21 LLC give you a call or communicate with you in any way  
22 to let you know, hey, I'm going to be coming in on a  
23 specific date and I'm going to be filing this document  
24 with you?

1           **A     If they did, it had to be with Mike Mitchell**  
2 **because it wasn't with me.**

3           Q     No, I'm asking with respect to you.

4           **A     No, not me. It would have been somebody**  
5 **else because I didn't.**

6           Q     Okay. Do you know of anyone else that  
7 Caseyville Transfer Station, LLC gave a heads up to,  
8 hey, we're going to be filing this?

9           **A     I can't answer that.**

10          Q     Is that because you don't know?

11          **A     I don't know.**

12          Q     Okay.

13                MS. LIVINGSTON: She's not saying it did  
14 happen. Listen carefully to her questions. She has  
15 her own agenda.

16                THE WITNESS: Okay.

17                MS. LIVINGSTON: Just tell the truth.

18                THE WITNESS: All right.

19          Q     (By Ms. Pohlenz) If someone comes to Village  
20 Hall to file a document, is it the Village Clerk of  
21 Caseyville's ordinary course of business that either  
22 Keri Cary or Leslie McReynolds at the administrative  
23 office will receive, stamp that document with a  
24 received stamp and then leave that document for you

1 either outside your office or in your box outside your  
2 office for you to then file?

3 **A Yes.**

4 Q Likewise, is it the ordinary course of  
5 business that when documents are requested by someone  
6 from the Village of Caseyville while that request may  
7 come to Leslie McReynolds or Keri Cary that -- in the  
8 front office, that prior to those documents being  
9 produced that the Village Clerk would have to okay  
10 them to be produced?

11 **A Initially, yes. After a while, no.**

12 Q Okay. And when you say that, are you  
13 speaking in reference to a specific document, such as  
14 the Caseyville Transfer Station, LLC application?

15 **A It was in general. If it -- we had already**  
16 **started, after a while it was just routine. I just**  
17 **let it go.**

18 Q I understand. So if it's some type of new  
19 category of document that someone's requesting, then  
20 it needs to go through you, to have you say okay and  
21 you can release it?

22 **A If it's outside of what you're talking about**  
23 **now, yes.**

24 Q Just in general.

1           **A**     **If we are talking about for this, after a**  
2     **while they had the free rein to do it because I have**  
3     **my work during the day, so...**

4           **Q**     Okay. So, for example, I'm not talking  
5     about the Caseyville Transfer Station application yet.  
6     I'm talking about in general. So, in general people  
7     come in and ask for ordinances and it's a frequent  
8     enough thing that happens that no one at the front  
9     office has to come to you to ask for approval to  
10    release an ordinance because they know they can give  
11    it to someone. That would be an -- an accurate  
12    statement?

13          **A**     **It depends on what it is. If you're asking**  
14    **through a FOIA request it would have to come through**  
15    **the Village Clerk. They don't have the authority to**  
16    **do that. Now, if you're talking about general**  
17    **documents that they can make copies of, yeah, they can**  
18    **do that; but, there are certain different things.**

19          **Q**     Okay. I thank you for that explanation.

20          **A**     **All right.**

21          **Q**     So, with respect to the Caseyville Transfer  
22    Station application and the public record -- do you  
23    know what I'm referencing when I say the "public  
24    record"?

1           **A**     You're talking about the box that we had  
2     with all the four binders and all the information that  
3     you had.

4           **Q**     Correct. And do you -- what about all the  
5     other documents that people filed?

6           **A**     They would be able -- they would be put back  
7     into that box and if anybody needed to see it, they  
8     would go make the copies and provide it to those  
9     individuals.

10          **Q**     So the public record -- when we're just  
11     talking here today at your deposition, do you  
12     understand when I say "public record" I'm talking  
13     about the entire grouping of documents?

14          **A**     Yes, I understand that. They were all in  
15     that box including the binders, anything that was sent  
16     in was put in the box.

17          **Q**     Okay. So you're referencing a box. And  
18     that box, was what size box?

19          **A**     The box -- we made sure that it was all in  
20     the conference room in a box about that big, like the  
21     one sitting down there.

22          **Q**     So that's a long legal storage box. So it's  
23     more than --

24          **A**     It's a big --



1 Q It's larger than a banker's box?

2 A It's a bit deeper. We made sure that  
3 everything that dealt with that was in that box. So  
4 that any time someone wanted to see it, they could  
5 come in here and see it. There would be no -- nothing  
6 hidden.

7 Q Okay. So with respect to your procedure, if  
8 someone came in and submitted a FOIA request to see  
9 the public record in the Caseyville Transfer Station,  
10 LLC siting application, would you then require them to  
11 wait to get your approval?

12 A If it came to -- if it came down to that,  
13 no. Because it was part of the Caseyville Transfer  
14 Station. So that would be the documents that they had  
15 in the box and they had authority to get the copies  
16 for those individuals then. And then I would sign the  
17 letter after the fact, making sure that it was all  
18 legal.

19 Q Okay.

20 A Any letter that went out or something like  
21 that. A FOIA request didn't matter because it dealt  
22 with that. We were told anybody that wanted to see  
23 it, it didn't have to be a FOIA request. They could  
24 come in and see it, so that's what we did. So, when

1 she would send me an e-mail and say, hey, I got this  
2 FOIA request on that. I'd say, no, you don't need it.  
3 They can come in and make whatever copies they need.  
4 That's how that worked.

5 Q And what about for someone who would ask,  
6 for example, Leslie McReynolds for documents, would it  
7 be her ordinary course in the Caseyville Transfer  
8 Station site location approval process to then ask you  
9 prior to then telling the person whether or not she  
10 could produce the documents?

11 A Initially it started that way, but after a  
12 while it got to she sent me an e-mail, hey, Rob,  
13 so-and-so came in, they made copies and then they left  
14 and I was fine with that because that's basically what  
15 we were told that they can come in and make copies and  
16 go about their business. We weren't allowed to stop  
17 them.

18 Q Okay. About when were you told that? You  
19 said after a while that this new process started.

20 A It's not really a new process, there was no  
21 process made. It was a decision on my part to say,  
22 hey, I can't wait until the next day for these people  
23 to get their stuff because I come in late at night --

24 Q Okay.

1           A     -- to get it done.  So why not just give  
2     them the authority to do it.  So then when the person  
3     came in, got the stuff done, they didn't have to wait  
4     two or three days.  So that's the process was my  
5     decision to tell them that, hey, for the Caseyville  
6     Transfer Station you guys just need do this and that's  
7     it.

8           Q     Okay.  To the extent that someone came to  
9     the window and was told that they couldn't receive  
10    documents until you approved it, that would be  
11    contrary to that process?

12          A     It would be initially.  Now, you got to  
13    watch the words here.  Initially, it was that way and  
14    then I started thinking that, well, maybe that's not  
15    good for those people.  So that's when I altered the  
16    process so that they could make the copies.  So  
17    initially I didn't know that, you know, that it was  
18    just -- it was a new thing.  I've never done this  
19    before.  So I was working through the process that I  
20    knew.  So then once these people started coming in, in  
21    droves, it didn't make sense for me to say, hey, wait  
22    until I get there.  So, then I decided they will make  
23    those copies as they are needed and that's how the  
24    process went from there.

1 Q Let's put this into context of the siting  
2 hearing which occurred on May 29th, 2014. Is that a  
3 date that you are familiar with?

4 A Yes.

5 Q Okay. So, prior to that siting hearing,  
6 were you requiring requests to go through you --

7 A No.

8 Q -- to obtain documents?

9 A No.

10 Q Okay. So at some point --

11 A It would probably -- I would give you -- it  
12 probably was a week. Because as soon as this thing  
13 hit the ground, everybody and their mom was coming in  
14 here to get a copy. So after a week -- I would say a  
15 week, I don't know if it was definitely a week. But  
16 after that it was getting so ridiculous that there was  
17 no time for me to come in here every day to do that.  
18 So I gave them the authority to do it. So they had  
19 ample time for -- everybody had their chances to do  
20 it.

21 Q And when you say that, would that have been  
22 the entire public record you're referencing or only  
23 that siting application?

24 A It would be anything that they wanted to

1 see. We were told that if they wanted to see the  
2 siting application, if they wanted to see anything  
3 that was in those binders, anything that they wanted  
4 to see they were allowed to see. There was nothing  
5 held back. I had Susan Piassa in here. They got  
6 their copiers in here to do whatever they wanted to do  
7 and we didn't hold them back. They could see anything  
8 that they wanted to.

9 Q And do you understand her copier came in --  
10 when her copier came in here to copy the application?

11 A Rephrase that.

12 Q Do you know a date when --

13 A I have no idea when she did it.

14 Q That's all I'm asking.

15 A Okay.

16 Q Okay. So, I'm going to mark this as  
17 Exhibit 16.

18 (Exhibit 16 was marked for  
19 identification by the court reporter.)

20 MS. LIVINGSTON: What is Exhibit 16?

21 MS. POHLENZ: It is an e-mail that was  
22 contained in our document production and it's between  
23 Leslie McReynolds and Mr. Rob Watt. There's some  
24 other e-mails in the chain printed out but it's

1 between them.

2 MS. LIVINGSTON: Do you recall the date?

3 MS. POHLENZ: I'll ask about it as soon as I  
4 get it back.

5 MS. LIVINGSTON: Okay.

6 Q (By Ms. Pohlenz) Can I have that to ask you  
7 the question?

8 **A Sure.**

9 Q Thank you. I'm going to hand you what's  
10 been marked as Exhibit 16. And I want you to take a  
11 look here at about, I don't know, two inches down from  
12 the top of the page, there starts an e-mail and it  
13 appears to be from you to Leslie McReynolds.

14 **A Uh-huh.**

15 Q And it ends, oh, about -- above where it  
16 says original message.

17 **A Uh-huh.**

18 Q Can you take a look at that and tell me if  
19 that is a true and accurate copy of your e-mail to  
20 Leslie that is dated June 13th, 2014 at 8:45 a.m.?

21 **A Yep.**

22 Q Okay. And can you tell me what is being  
23 referenced here in the top line as the Certificate of  
24 Publication?

1           **A     This is their Certificate of Publication**  
2 **where the public hearing was filed by Mr. Siemsen, we**  
3 **did not receive a copy.**

4           Q     Okay. Is that referencing something that  
5 Mr. Siemsen has but didn't give to you yet?

6           **A     I don't know if that's the case or not. We**  
7 **just didn't have receipt of whether he gave it to**  
8 **someone else or the Mayor had it, I don't know. I**  
9 **know I never saw it.**

10          Q     So what was being requested here it was your  
11 response to Leslie that that wasn't in the public  
12 record, that you did not have it?

13          **A     The public hearing notice?**

14          Q     That -- this, the Certificate of Publication  
15 for the public hearing notice.

16          **A     No, we didn't have it. But we did -- we did**  
17 **have the public hearing date and stuff but I never saw**  
18 **that.**

19          Q     Right. No, I'm not asking about the date.  
20 I'm just asking about that sentence.

21          **A     Yeah. I never saw it. I'm not going to --**

22          Q     I'm not asking you to lie. And if you  
23 don't -- like I said, if you don't understand my  
24 question I'll rephrase it. If I use a term that we're

1 not clicking on, I'll explain what I mean.

2 **A Okay.**

3 Q Okay. Now, you have made reference to  
4 that -- to a -- documents and I'm not sure how you  
5 described them, so I'm just going to say documents,  
6 came into Mike Mitchell's office. At some point you  
7 were told or you otherwise discovered the documents  
8 related to the Caseyville Transfer Station were in  
9 Mike Mitchell's office. Can -- did you -- did someone  
10 tell you documents were in Mike Mitchell's office or  
11 how did you find that out?

12 **A We only assumed it was in Mike Mitchell's**  
13 **office because he was taking care of it. I had a**  
14 **discussion with Mike and since he's not there but, oh,**  
15 **I don't know twice a week, I didn't have a chance to**  
16 **get with him to see if he actually received anything.**  
17 **And when we found out -- when he came in, I asked him**  
18 **the question, he said he had it, and that's when we**  
19 **started providing whatever.**

20 Q Okay. So, in the sequencing of things,  
21 someone walks into City Hall and asks for something  
22 called the siting application.

23 **A Uh-huh.**

24 Q You tell them that you don't have such a



1 thing; is that accurate?

2 **A I don't think I would phrase it that way.**

3 Q No, no, I'm not asking phraseology. Please,  
4 use your own words. What would you have told them?

5 MS. LIVINGSTON: At what point in time, the  
6 first week?

7 Q (By Ms. Pohlenz) I don't know.

8 MR. MANION: Do you understand the question?

9 **A No. I'm trying to figure out what documents**  
10 **she's talking about now. Are you talking about the**  
11 **documents that were in the box or are you talking**  
12 **about the first time Mr. Siemsen gave us something**  
13 **that me and the Mayor signed?**

14 Q (By Ms. Pohlenz) Okay. Well, let's go first  
15 to the documents in the box. What documents -- when  
16 you finally got a box of documents, what documents,  
17 that Mike Mitchell had, what was in that box?

18 **A We had all the binders and anything that**  
19 **dealt with all the way up until before the hearing.**

20 Q Were there four binders in a box?

21 **A Yes. Yes, there were.**

22 Q Okay. So at some point after you get  
23 documents -- you find out Mike Mitchell has documents,  
24 has four binders in a box; is that accurate?

1           **A     Uh-huh.  Yep.**

2           **Q     How do you find that out, did someone tell**  
3 **you that?**

4           **A     We thought that Mike Mitchell had them**  
5 **because he would be the only one because it was a**  
6 **zoning issue and it would have went to Mike Mitchell.**  
7 **Whoever got the box would have gave it to Mike**  
8 **Mitchell.  We couldn't ask him that day because he**  
9 **wasn't in that day and when he finally came in we**  
10 **contacted him and he said, yes, we have that box with**  
11 **those.  And then we brought them in here and then we**  
12 **started letting people look at it.**

13          **Q     Okay.  So how did it come to your awareness,**  
14 **though, that there was a box of documents that people**  
15 **wanted to see?**

16          **A     I only got that from Leslie -- I think I got**  
17 **it from Leslie.  That she said that there would have**  
18 **been a box and then I said, okay, well, if there is a**  
19 **box, we need to get with Mike Mitchell, if he's the**  
20 **one that got it; and there it went.**

21          **Q     Okay.  How did -- what is your --**

22          **A     I can't answer for Leslie.**

23          **Q     I'm not asking you to answer for Leslie.**  
24 **I'm asking you, you said at some point someone came in**

1 and asked for the siting application.

2 A Right. They asked for the --

3 Q They asked for it from you or from Leslie?

4 A They asked it from Leslie initially because  
5 I was at work.

6 Q Okay.

7 A And then the second time I was here they  
8 asked for it and that's when we started, okay, I  
9 said -- that was a day off that I had. I think it was  
10 the next day he came back and we said let me see if I  
11 can find out where it's at. And that's when we found  
12 out that Mike Mitchell had it and we brought it in  
13 here and he was happy and did whatever he needed to  
14 do.

15 Q Okay. What was your day off?

16 A It was a Friday. I can't tell you the exact  
17 Friday.

18 Q Okay. So it was a Friday. Was it Friday in  
19 February?

20 A I don't know.

21 Q Okay.

22 A It would have had to be Friday in February,  
23 I guess. I don't know. I can't say for sure.

24 Q Okay.

1           **A**     **It would had to have been -- it would had to**  
2     **have been February. I think it would have been.**

3           Q     Okay. So where are we with this now? Was  
4     it a Friday in February yes or no, to the best of your  
5     recollection?

6           **A**     **My recollection, it would have been a Friday**  
7     **in February.**

8           Q     Okay. And Friday in February would have  
9     been your day off or your day on because I forgot with  
10    the in-between discussion?

11          **A**     **It would have been a Friday that I had a day**  
12    **off.**

13          Q     Okay, sorry. Okay. And there would have  
14    been a Friday in February where you had been in the  
15    office. And on that Friday in February when you were  
16    in the office someone from outside the Village of  
17    Caseyville --

18          **A**     **Yep.**

19          Q     -- came back to the Village of Caseyville to  
20    ask for the second time where is -- is there a siting  
21    application?

22          **A**     **He was told there was. We just didn't -- we**  
23    **just didn't have it on us at the time because Mike**  
24    **Mitchell had it in his office. We didn't know it was**

1     **in his office until he told us.**

2           Q     Okay.  And do you remember who this person  
3     was?

4           **A     No.**

5           Q     And so, on Friday that you had off, did you  
6     speak then with Mike Mitchell?

7           **A     No.**

8           Q     Okay.  So, do you come in Saturday or  
9     Sunday?

10          **A     No.**

11          Q     Would the following Monday have been a day  
12     that you would have spoken with Mike Mitchell?

13          **A     No.  Leslie called Mike Mitchell on Friday.**  
14     **Somebody contacted Mike Mitchell on Friday and he said**  
15     **it was in his office.  And we got it for the gentleman**  
16     **so he could take care of whatever he needed to take**  
17     **care of.**

18          Q     Okay.  So, a gentleman comes in -- I'm just  
19     trying to summarize this, on a day earlier than Friday  
20     that you have off in February?

21          **A     Yes.**

22          Q     The gentleman asks for a siting application  
23     for Caseyville Transfer Station, you don't have it; is  
24     that accurate so far?

1           **A**     **I would say, yes, because I wouldn't say we**  
2     **didn't have it. I didn't know we had it.**

3           **Q**     The Clerk's office?

4           **A**     **I didn't have it.**

5           **Q**     The Village Clerk did not have it?

6           **A**     **No, the Clerk's office did not have it, no.**

7           **Q**     Okay, that's my question. And I'm sorry I  
8     didn't phrase it that way. So on -- prior to the  
9     Friday that you had off in February when a person -- a  
10    gentleman from outside -- outside -- not employed with  
11    the Village of Caseyville, came into the Village of  
12    Caseyville and asked you or asked someone from your  
13    office for a Caseyville Transfer Station siting  
14    application, the Village Clerk did not have that  
15    document to give to that person; correct?

16          **A**     **Right.**

17          **Q**     Okay. On the Friday that you had off in  
18    February, that same gentleman came into the Village  
19    and asked you, the Village Clerk, for that document?

20          **A**     **Uh-huh.**

21          **Q**     You did not have it at that time but had  
22    Leslie call Mike Mitchell who then tracked down the  
23    document and brought it to -- was it this conference  
24    room?

1           **A     Yes.**

2           Q     For that gentleman --

3           **A     Uh-huh.**

4           Q     -- to view; is that an accurate statement?

5           MR. MANION: I'm going to object to the  
6 form. I don't think he said that he didn't have it.  
7 I think he said he didn't know where it was. That it  
8 was in Mike Mitchell's office.

9           Q     (By Ms. Pohlenz) Okay. Let me ask that  
10 again. So on the Friday that you had off, when that  
11 gentleman came back to the Village to ask for the  
12 document, did you, the Village Clerk, have that  
13 document in you the Village Clerk's possession?

14          **A     No.**

15          Q     Okay. Do you have -- is Fridays off a  
16 regular thing for you in your schedule or is it an  
17 occasional thing?

18          **A     It's occasional.**

19          Q     So if you were to look back in a calendar or  
20 at work somewhere, would you be able to identify which  
21 Friday off that this was?

22          **A     Probably not.**

23          Q     Okay. And why not?

24          **A     Because I would have had two or three**

1     **Fridays off that month and then it goes from there.**

2           Q     Okay. Do you, Rob Watt, as Village Clerk  
3     have personal knowledge about how that box of four  
4     binders came to be located in Mike Mitchell's office?

5           **A     No.**

6           Q     So the first time that you, Rob Watt, as  
7     Village Clerk would have been able to file the  
8     Caseyville siting application, Caseyville Transfer  
9     Station, LLC application for site location approval  
10    would have been on a Friday within February of this  
11    year when you had off?

12           MR. MANION: Objection to the form of the  
13    question. I think there's already testimony that the  
14    ladies at the Clerk would stamp received on documents  
15    and receive them.

16           MS. POHLENZ: But there's also testified  
17    about this Friday in receiving this document. So let  
18    me ask the question again.

19           MR. MANION: Well, because I think filing  
20    has different meanings.

21           MS. POHLENZ: I'll ask it again.

22           MR. MANION: Okay.

23           Q     (By Ms. Pohlenz) So, you're the only person  
24    in the Village, the Village Clerk with the authority



1 to file a document; is that accurate?

2 **A Yes.**

3 Q And your first opportunity to file the  
4 Caseyville Transfer Station, LLC site location  
5 application would have been on that Friday that you  
6 had off of work that you were in Village Hall and you  
7 were able to get that document into your possession as  
8 Village Clerk; is that accurate?

9 **A You mean that's the first time I saw it?**

10 Q Is that your first opportunity to have had  
11 that document in your possession to be able to file  
12 it?

13 **A For anybody to look at it, yes. If it came  
14 in some other time before that it may have been  
15 stamped, I don't know. I didn't take a look when I  
16 saw it, so I don't know.**

17 Q Okay. So, if the Caseyville -- if a  
18 document is stamped received by the Village --

19 **A Uh-huh.**

20 Q -- then as Village Clerk you consider that a  
21 filed document?

22 **A Yes. That's how it is with FOIAs and  
23 everything like that. Once it's stamped, that's the  
24 date I have, until -- like anything, I have a certain**

1     **time frame to get that done. So once it's stamped at**  
2     **the front it's pretty much...**

3           Q     Okay. So, you go by the received date  
4     that's stamped at the front?

5           **A     Pretty much, yes.**

6           Q     Okay. So, if on the Friday you had off, you  
7     received these four binders and within that four  
8     binders there was a received stamp on it, say, of the  
9     Thursday just prior, then it would be -- you would  
10    consider that filed on the Thursday just prior or  
11    would you consider it filed when it came into your  
12    possession?

13          **A     It would have been filed whenever it was**  
14    **stamped, that's how I see it.**

15          Q     Okay. And so for a document that does not  
16    have any stamp, do you as Village Clerk, can you tell  
17    us in your official capacity when that document is  
18    filed?

19          **A     No document should be coming in here without**  
20    **being stamped.**

21          Q     Okay. If there is a document that does not  
22    have a file stamp can you, as Village Clerk, tell me  
23    in your official capacity whether that document is  
24    filed or if that -- let me strike that.

1           If a document -- If I show you a document  
2 and it has no file stamp, in your official capacity as  
3 Village Clerk is it your opinion that a document, that  
4 document with no file stamp, is a filed document with  
5 the Village of Caseyville?

6           **A     Once it gets into my possession it would be,**  
7 **I would probably --**

8           Q     You would have it stamped?

9           **A     Stamped.**

10          Q     Correct.

11          **A     If I didn't see it on there.**

12          Q     Okay. So just then to be clear with this.  
13 So if a document comes into your possession with no  
14 file stamp, then once it's in your possession it's  
15 filed?

16          **A     Right. Because I would ask Leslie and them.**

17          Q     You would ask someone to do it, okay.

18          **A     I would ask them why it wasn't stamped**  
19 **initially, because it could have come in three or four**  
20 **days before that, before I got it. So then it would**  
21 **be a matter of going back saying, hey, why wasn't this**  
22 **stamped, when did you receive it.**

23          Q     Okay.

24          **A     So it just doesn't come in here and I just**

1 sit there and go, oh, okay, I got it just know. I  
2 will go back and say, hey, when did you guys receive  
3 this and then we would go from there.

4 Q Okay. And do you know who, Leslie or Keri  
5 received this document?

6 A I can't tell you that.

7 Q Okay. And you don't know how the document  
8 came to be in the Village?

9 A I don't know how it got into Mike's office.  
10 It should have been delivered to me. So I don't know  
11 how somebody put it in his office.

12 Q Okay. So, as you sit here today, as Village  
13 Clerk, can you tell me with specificity on what date  
14 the siting application for Caseyville Transfer  
15 Station, LLC was filed with the Village of Caseyville?

16 A I can't say that off, no. Because I don't  
17 know when it actually -- when somebody actually took  
18 possession of it. I can't say that. I mean, it could  
19 have been the day that -- the first day that the  
20 application should have been filed, I don't know.

21 Q Okay. Can the Public Works Director take  
22 possession of documents, legal documents, and have  
23 that be an official filing of the Village Clerk?

24 A It would have had to come in through means,

1 to the Admin section first. It doesn't go straight to  
2 whoever. It would had to have come through the Admin  
3 section. No one takes -- no one takes anything until  
4 it goes through the Admin section.

5 Q Okay. And the process used through the  
6 Admin section is that it would have received a  
7 received stamp?

8 A Right.

9 Q And then you would have received it with the  
10 received stamp?

11 A If it wouldn't have been put into Mike  
12 Mitchell's office, right.

13 Q I'm just talking about the normal --

14 A In general. In general, yes, it would be in  
15 my box and I would look at it and then we would go  
16 from there.

17 Q Okay. And you would consider it received  
18 the day of the received stamped?

19 A Right.

20 Q Okay. So if something came in, in general,  
21 that had no received stamp and you received it, then  
22 you would consider it received the date that you  
23 actually got it in your possession and then had Leslie  
24 stamp it?

1 MS. LIVINGSTON: I'm going to object.

2 MR. MANION: Objection. He already  
3 testified that he'd try and figure out when it was  
4 received and that would be the filing date.

5 THE WITNESS: Right.

6 MS. LIVINGSTON: Not only that, there's a  
7 legal effect to the filing date that this witness may  
8 not comprehend. I'm sure he doesn't understand that  
9 you are challenging the City's decision and that the  
10 applicant, in fact, had to do a notice in the  
11 newspaper to say what date he would file it and that  
12 it is important that he file it on that date. So the  
13 authority to file or whatever when it was received  
14 he's saying he doesn't know. So, I don't think that  
15 you can ask --

16 MS. POHLENZ: I'm going to object to your  
17 narrative here because you're not testifying right now  
18 and I'm asking this witness questions. So we're just  
19 delaying him.

20 MR. MANION: All right. Well, I'm going to  
21 object to any questions asking -- using the phrase  
22 "filing" because that's asking for a legal conclusion.

23 MS. LIVINGSTON: That's my objection.

24 MR. MANION: If you want to ask him when it

1 was received and whether his understanding is what the  
2 effect of the receiving of it is.

3 MS. POHLENZ: I don't think the words --

4 MS. LIVINGSTON: Which he's already  
5 testified. Asked and answered.

6 MS. POHLENZ: You know, I'm going to -- he's  
7 already testified as to, you know, filing, he  
8 understands what the word filing is, he's the Village  
9 Clerk.

10 MS. LIVINGSTON: Right. Then it's already  
11 asked and answered.

12 MR. MANION: Then it's already been asked  
13 and answered then. Let's move on.

14 Q (By Ms. Pohlenz) I believe you stated that  
15 all documents that came in concerning -- into the  
16 Village Clerk's office concerning the Caseyville  
17 Transfer Station went into a box in the conference  
18 room. Is that an accurate restatement of what you've  
19 said today?

20 A Are you talking about the transfer station  
21 stuff or are you talking about general documents?

22 Q I'm just saying everything after the  
23 application that came in from people, including the  
24 applicant and other people. You put them all in one

1 place in this conference room?

2 **A If it came in, yes, it went in there. If we**  
3 **received it, it went in there.**

4 Q Okay. So, for example, do you recall  
5 receiving an appearance from me saying that I was  
6 going to participate in this proceeding?

7 **A I've seen a lot of appearances but I**  
8 **don't -- I can't say definitively which ones I**  
9 **actually saw --**

10 Q Okay.

11 **A -- so -- because the Mayor got a copy of it.**  
12 **So, I can't say if he did or not. I don't know.**

13 Q Okay. So, what was the process for -- what  
14 did you do after you received a document that came in  
15 to be part of the public record for the Caseyville  
16 Transfer Station, LLC?

17 **A It would have been -- if it had something to**  
18 **do with that, we would have put it in the box and left**  
19 **it in there.**

20 Q Okay. And you just mentioned that you made  
21 a copy for the Mayor. Was it something --

22 **A No. The Mayor would receive a copy.**  
23 **Everything that was done was in duplicate. He would**  
24 **receive a copy of it. It had different people's names**



1 on it, he would have got a copy of it. Just sort of  
2 like the notices we just got for all of this. He  
3 received a copy. There was copies in there. He would  
4 have had a copy sent to him in person.

5 Q Was that your people who work with you, like  
6 Leslie who would make that copy?

7 A What copy are you talking about?

8 Q The copy you're referencing.

9 A The copy I'm referencing?

10 Q Yes.

11 A For the Mayor?

12 Q Yes, correct.

13 A The Mayor would receive his own in the mail,  
14 it would go directly to him.

15 Q Okay. So when a document was addressed to  
16 both the Mayor and the Village Clerk, that's what  
17 you're referencing --

18 A Yes.

19 Q -- when you said the Mayor would get a copy?

20 A Yes.

21 Q I don't know what you're talking about. I'm  
22 just trying find out if you're making the copy or your  
23 office was making the copy.

24 A No, I think I said that it was -- that we

1     **both would received it in the mail.**

2           Q     Okay. But that's when it's addressed to  
3 both of you?

4           **A     Right.**

5           Q     Okay.

6           MS. POHLENZ: Don, you want to ask  
7 questions?

8           MR. MORAN: Yes, I have some questions.

9   [EXAMINATION]

10          BY MR. MORAN:

11          Q     Good evening, Mr. Watt. My name is Don  
12 Moran. I represent the Village of Fairmont City.

13                 Is it the regular and ordinary course of  
14 business for the Clerk's office to stamp each document  
15 that is filed with the Clerk?

16          **A     Yes. If it's received at the window, it  
17 will be stamped.**

18          Q     When you say "at the window", which window  
19 are you talking about?

20          **A     The administrative window out here.**

21          Q     That's the window immediately to the right  
22 as you walk in the front door?

23          **A     Yes.**

24          Q     So, if a document was not presented at that

1 window, it's dropped on the floor, it's given to  
2 somebody else, it somehow gets lost here in the  
3 Village and it does not receive a file stamp, do you  
4 consider that document filed with the Village?

5 **A Now, you're saying it's lost and stuff like**  
6 **that, how would I -- how would I have considered that**  
7 **part of the Village record if it's lost.**

8 Q Well, that's my question.

9 MR. MANION: Objection, calls for  
10 speculation.

11 Q (By Mr. Moran) Is it the Village practice, in  
12 the ordinary and regular course of business, to  
13 consider any such documents that have not been  
14 presented at that window to the right and file stamped  
15 as being filed with the Village?

16 MR. MANION: I'm going to object, asked and  
17 answered. I think he already said he considered it  
18 filed when it was received and if it didn't have a  
19 stamp he'd try to figure out when it was received and  
20 then it would be stamped for that date.

21 Q (By Mr. Moran) No, I'm asking for the regular  
22 and ordinary course of business practice of the  
23 Village in determining whether a document that comes  
24 here to the Village, whether it's considered filed if

1 it is -- it has not received a date stamp.

2 A I wouldn't see that it would be that way  
3 because everything -- all the mail comes through here,  
4 everything comes through that administrative office.  
5 It would be turned into our boxes with a stamp. If  
6 not opened, stamped on the envelope and stamped on the  
7 document inside. So nothing would be coming in here  
8 without a stamp. And if it did, I would go back and  
9 say, hey, when did you guys receive this and then they  
10 would stamp it for what date they actually saw it or  
11 it would be that day.

12 Q Is there any written policy or practice that  
13 identifies when a document is considered to be filed  
14 with the Village?

15 A I've never seen one. But this was general  
16 practice for the whole Village before I got here. So  
17 it's not just, Rob Watt, Village Clerk, that made this  
18 up. This is how it's been for maybe 26 years.

19 Q What is that, an oral policy or unwritten  
20 policy?

21 A I can't say either way. I mean, how am I  
22 supposed to know that? I mean, I wasn't here when  
23 they made the policy. Even if it is there, I don't  
24 know. I mean, you're asking me to go back when George

1     **Chance was Mayor when he first got here and say,**  
2     **hey --**

3                   MR. MANION: Let him ask a question.

4           Q     (By Mr. Moran) What I'm asking, Mr. Watt --  
5     and obviously I'm not doing a very good job of it.  
6     I'm asking you whether there is a written policy. And  
7     if there isn't, simply say there is no written policy?

8           A     **I can't say whether there is or not.**

9           Q     So you're unaware of whether there is or  
10    not?

11          A     **I don't know.**

12          Q     Okay. So the policy that you've told us  
13    about today, what is the source of that policy? Is it  
14    something you heard from someone? Is it something  
15    that's in writing some place? How did you come to  
16    learn that that is the policy?

17          A     **That's how they've always done it.**

18          Q     That's my question.

19          A     **I don't know what more you want me to say**  
20    **here. Do you want me to say there isn't one? I don't**  
21    **get your question. I think I answered it. I don't --**  
22    **when I got here, that's how the general practice was.**  
23    **I don't get -- I didn't ask if there was a policy. It**  
24    **was general practice.**

1           Q     How did you learn about that general  
2 practice?

3           A     I guess when the first time something was in  
4 my box and it had a stamp on it.

5           Q     Okay.

6           A     And then there you go. I didn't ask a  
7 question then because that's how it was all the time.  
8 So I didn't know I had to ask them a question that,  
9 hey, why are we stamping this. I kind of figured it  
10 out because it's date stamped that, hey, we received  
11 it on this date because it says received and the date.  
12 So I figured, hey, it's the date we received it and  
13 then I would go file it.

14          Q     Okay. That explains how you view a document  
15 that receives a date stamp; correct?

16          A     Right.

17          Q     My question related to those documents that  
18 for whatever reason do not receive a date stamp, is  
19 there any policy in place that informs you or anyone  
20 else at the Village as to whether that document is  
21 considered filed if it lacks the date stamp?

22          A     If it lacks a date stamp we would have to go  
23 back and find out what the date is. There's no way  
24 that we could have it not date stamped. If it came in

1     **without it then it would had to have a date stamp.**

2           Q     Okay. With respect to the siting  
3 application that we're talking about here, you've  
4 already indicated that that siting application did not  
5 receive a date stamp, the date that it came in;  
6 correct?

7           MS. LIVINGSTON: We're talking about the  
8 four binders now?

9           Q     (By Mr. Moran) Yes, the siting application,  
10 the four binders.

11          A     **I can't say if it did or didn't. I said I**  
12 **didn't look at it to see if it did. I didn't say if**  
13 **it didn't or it did.**

14          Q     Okay. My question is: Do we have that  
15 siting application today?

16          A     **Yeah.**

17          Q     Okay. Does it bear a date stamp?

18          A     **I would have to look at it and see. I**  
19 **haven't looked at it.**

20          Q     Well, could you take my word for it, it does  
21 not have a date stamp. To this date it does not have  
22 a date stamp.

23          A     **I can take your word, that's fine.**

24          Q     For this siting application, with no date

1 stamp, what you've told us is the policy is that if  
2 you notice a document that is coming to the Village  
3 and does not have a date stamp you or someone within  
4 the Clerk's office will then take steps to try to  
5 determine when that document came in so it could be  
6 properly date stamped; correct?

7 **A Right.**

8 Q Was that done for the siting application?

9 **A If it's not on there I guess it didn't.**

10 Q So, as of today, there is no way for anyone  
11 at the Village to determine when that siting  
12 application was filed with the Village; would that be  
13 correct?

14 **A I guess so.**

15 MR. MANION: Well -- all right.

16 Q (By Mr. Moran) Now, you mentioned about  
17 somebody who would come in and ask to look at the  
18 siting application.

19 **A Uh-huh.**

20 Q That person was a male?

21 **A Yes.**

22 Q And, in fact, that person came in to the  
23 office on February 12th of 2014; isn't that correct?

24 **A I can't say whether or not.**



1 Q Well, the Friday of that week was February  
2 14th, which is Valentine's day; correct?

3 A Okay.

4 Q Was that the day you took off, Valentine's  
5 day?

6 A I -- I don't know.

7 Q Well, if you would assume for a moment --  
8 well, let me ask this.

9 Do you have any information to indicate that  
10 the male who came in to ask for the application, to  
11 look at the application did not come in on February  
12 12th of 2014?

13 A I -- I can't tell you the exact date he came  
14 in, but I know he came in and got what he needed.

15 Q Well, he came in on February 12th and he  
16 asked to see the application and he talked to you on  
17 that date, didn't he?

18 A I don't know if I talked to him on February  
19 12th or not.

20 Q Well, he, in fact, came in and talked to you  
21 and you brought him into this room, do you recall  
22 that?

23 A No.

24 Q And when you brought him into this room

1     there was no application in this room and you  
2     indicated to him that the application was not  
3     available for review as yet.  Do you remember telling  
4     him that?

5             **A     I don't remember that, no.**

6             Q     So, this individual left --

7                     MS. LIVINGSTON:  Okay, now --

8             Q     (By Mr. Moran) -- the Village at that time;  
9     is that correct?

10                    MS. LIVINGSTON:  -- I'm going to object on  
11     foundation grounds because he's telling you that he  
12     doesn't remember and now you're testifying how it  
13     occurred when he's already told you he doesn't  
14     remember.  So you might want to get how much he  
15     remembers because if he doesn't remember that, how's  
16     he going to remember what he doesn't know.

17                    MR. MORAN:  Well, he'll tell me he doesn't  
18     remember this.

19                    MS. LIVINGSTON:  Well, he just did.  He's  
20     told you that.

21                    MR. MORAN:  I'm moving from that point and  
22     I'm asking him what happens next.  If he recalls this  
23     is what occurred.

24                    MS. LIVINGSTON:  Okay.

1           Q    (By Mr. Moran) Well, in fact, Mr. Watt, would  
2   it have been the Village practice for someone who came  
3   in and asked to see a document and was told it was not  
4   yet available for someone at the Village to then  
5   follow up with that individual who had left a phone  
6   number and contact him when the document was available  
7   for review?

8           **A    If it was left behind I would assume we**  
9   **would do that, yes.**

10          Q    Well, in fact, this individual received a  
11   phone call at approximately 8:00 p.m. that Friday, the  
12   Friday after the Wednesday, February 14th, indicating  
13   that the application was available for review. Left a  
14   voicemail, was that you who left that voicemail?

15          **A    It could have been.**

16          Q    And your message was that going forward --  
17   presumably some time next week the person could come  
18   back in and view the application; correct?

19          **A    It should have been made available.**

20          Q    And, in fact, that person did come in that  
21   following week to look at the application?

22          **A    I assume he did. I can't say if he did or**  
23   **didn't.**

24          Q    You don't recall having him come back and

1 then ask to see it and that it was made available for  
2 him in this room that next week?

3 **A I don't remember me being here for that. It**  
4 **may have been Leslie or somebody else that did it.**

5 Q Let me show you what has been marked as  
6 Exhibit 14.

7 (Prev. marked Exhibit 14.)

8 Q (By Mr. Moran) I'll ask you to look at that  
9 front page. Do you recognize the document at all,  
10 have you ever seen it before?

11 **A Yeah, these are the documents that we**  
12 **received on this -- yeah, I think I saw this. Because**  
13 **these were the same thing that we got from -- yeah, I**  
14 **saw those.**

15 Q Directing your attention to the date stamp  
16 that appears on the first page of Exhibit 14.

17 **A Okay.**

18 Q Did you apply that date stamp?

19 **A No.**

20 Q Was this date stamp a date stamp that was  
21 applied by someone from the Village of Caseyville? In  
22 other words, do you recognize it as the Village of  
23 Caseyville date stamp?

24 **A Yeah, it's one of ours.**

1           Q     Okay.  And as a Caseyville date stamp, would  
2     this indicate that this document, this Exhibit 14, was  
3     received by the Village of Caseyville on July 9th,  
4     2014?

5           A     **That's -- yeah, that would have been**  
6     **received, yeah.**

7           Q     Okay.  And do you know if this document was  
8     then put in the file or the area where all the  
9     documents relating to the siting application would  
10    have been put?

11          A     **It was put in an envelope with the other**  
12    **stuff.**

13          Q     When you say in an envelope?

14          A     **Yeah, they were separate.  We separated the**  
15    **other correspondence that didn't go with the binders**  
16    **we put in another envelope, so it was separated, so we**  
17    **knew what was what, what came in and after.**

18          Q     And would Exhibit 14 have been distributed  
19    to the other trustees or would it have just simply  
20    been put in the envelope with the other material?

21          A     **It would have been made available for them**  
22    **in here.**

23          Q     It would have been?

24          A     **Yes.**

1 Q It would not have been sent to them in their  
2 mailboxes?

3 A We -- we were putting stuff in there and  
4 they were advised that it would be in there.

5 Q Okay. So the answer is it was not sent to  
6 them in the mailbox?

7 A It was not put in their mailbox.

8 Q And that's Exhibit 14. Let me ask you the  
9 same questions about Exhibit 15.

10 (Prev. marked Exhibit 15.)

11 Q (By Mr. Moran) Take a look and see if you've  
12 seen that before.

13 A Yep.

14 Q Again, directing your attention to the first  
15 page of Exhibit 15 it bears a date stamp, is that the  
16 Village of Caseyville date stamp?

17 A Yes.

18 Q Was that applied by you?

19 A Nope.

20 Q Somebody?

21 A Somebody in the office within the Admin,  
22 yes.

23 Q And does it accurately reflect that Exhibit  
24 15 was received by the Village of Caseyville on

1 August 6th of 2014?

2 **A That's -- if it's on there, that's probably**  
3 **when it happened.**

4 Q Was this document, as well, placed in the  
5 envelope with the other siting materials?

6 **A Yes, it was put in there.**

7 Q And this document was not delivered or sent  
8 to the individual trustees in their mailboxes?

9 **A No. Because, again, it was made available**  
10 **to them there.**

11 Q Okay. And how was it communicated to the  
12 trustees that the documents would be available to them  
13 here in the envelope if they wanted to review them?

14 **A It was -- it was probably in passing when**  
15 **they were sitting back before meetings and said, hey,**  
16 **if there's any documents that we had here in this**  
17 **office, in this conference room.**

18 Q So it would have been in a Village meeting  
19 when you made the comments to them, the Mayor, or some  
20 other person?

21 **A It wouldn't have been in a Village meeting,**  
22 **no. It would have been prior to a meeting or just in**  
23 **passing, hey, Mr. Mayor, we just got this, it's in**  
24 **there.**

1 Q And so, it would have been the Mayor who  
2 told them that the documents were available here, it  
3 would have been you, it would have been Leslie  
4 McReynolds?

5 A It would have been -- it could have been a  
6 combination. The Mayor could have told them. Leslie  
7 could have told them. I could have told them in  
8 passing, hey, we got some new stuff it's in the box.

9 Q Available for your review?

10 A Right.

11 Q But there was nothing in writing sent to  
12 them about the availability of these documents --

13 A No.

14 Q -- here for their review?

15 A No.

16 Q Thank you very much. Nothing further.

17 [EXAMINATION]

18 BY MS. LIVINGSTON:

19 Q If City Council members testified that they  
20 thought they saw these documents in their box, would  
21 you know if anyone else could have put it in their  
22 box?

23 A Leslie could have put it in there.

24 Q Okay. So, you wouldn't know if they



1 actually received it in their box or not?

2 **A I don't, no.**

3 Q You only know you didn't put it in there?

4 **A Right, I didn't put it in there. If they**  
5 **received it Leslie, could have made a copy. Keri**  
6 **could have made a copy.**

7 Q Right. Mike Mitchell was my client for  
8 eight years.

9 **A Okay.**

10 Q Can you tell me what his role is here?

11 **A He is the Zoning Administrator.**

12 Q All right. Is that a part-time job?

13 **A Yes, it is.**

14 Q And does he have regular hours?

15 **A I know he works here two days a week, but I**  
16 **don't know the exact hours.**

17 Q All right. If someone were to apply for a  
18 building permit or a change of zoning, they want to go  
19 from residential to commercial or something like that,  
20 once that would be received from the Clerk's office  
21 during day time hours, would the Deputy Clerk or Keri  
22 think that they should put that in Mike Mitchell's  
23 box?

24 **A Yeah. It would probably go to him or if it**

1     **was needing signatures and stuff it would come to me**  
2     **and the Mayor to sign or whatever.**

3           Q     Okay. So, if there was any kind of a zoning  
4     issue that was raised, was it understood in the office  
5     that zoning issues were to be referred to Mike  
6     Mitchell?

7           **A     Yes.**

8           Q     Okay. So, let me ask you this. Did you and  
9     I just meet today right now?

10          **A     Yes.**

11          Q     Okay. So, we haven't had any conversations  
12     before we came in here today?

13          **A     No, ma'am.**

14          Q     All right. So since we haven't and this is  
15     all on the record, I want to talk to you about a  
16     couple of things. Did you understand anything about  
17     the fact that there is a statute out there that  
18     relates to local siting approval?

19          **A     This was the first time that I had to go**  
20     **through this. So it was based on the attorney.**  
21     **Whatever the attorney gave me advice on, I wouldn't...**

22          Q     It's fair to say that while you've been  
23     Clerk you've never received any application for local  
24     siting --

1           **A     No.**

2           Q     -- other than this application?

3           **A     Other than that one, yes.**

4           Q     Okay.  And how long have you been Village  
5 Clerk?

6           **A     It will be two years next May.**

7           Q     All right.  And as Village Clerk you are not  
8 the person who is here during daytime hours?

9           **A     Right.**

10          Q     You have a Deputy Clerk and an  
11 Administrative Assistant for that?

12          **A     Yes.**

13          Q     All right.  So if someone filed a notice in  
14 the newspaper that said I'm going to file something on  
15 a certain day at Village Hall and they delivered it  
16 that day and it was received, do you have some opinion  
17 that they didn't do what they were supposed to do  
18 because you didn't file it?

19          **A     Can you say that again?  I'm trying to --  
20 I'm trying to catch up.**

21          Q     That's all right.  We had some conversation  
22 about you have authority to file and other people  
23 don't have authority to file.

24          **A     Right.**

1           Q     And so I'm just trying to figure out what it  
2 means to have authority to file. For example, if you  
3 receive bills, you're the person who puts them in the  
4 right file. Yes?

5           **A     The bills and billing and stuff is handled**  
6 **by Leslie. I don't take care of bills and stuff like**  
7 **that. I only take care of stuff with -- as it**  
8 **pertains to Water Department stuff that, you know,**  
9 **there are public notices for lawsuits against people**  
10 **that are, I guess, forfeit on their properties and**  
11 **stuff like that.**

12          Q     Okay.

13          **A     As far as billings and stuff like that,**  
14 **invoices and stuff like that, that goes to Leslie.**

15          Q     All right. So I want to make sure I  
16 understand this issue of authority to file and what it  
17 means to file. Okay. And I don't know if you know or  
18 if I know what that means.

19          **A     Right.**

20          Q     But there seems to be an issue being made  
21 about it. I just want you to understand why the  
22 issue's being made.

23          **A     Okay.**

24          Q     They are challenging that this siting

1 application was not here on February 10th, the date  
2 the newspaper notice said it had to be here.

3 **A Okay.**

4 Q And you testified, well, if I didn't file it  
5 then it wasn't filed. So I want to make sure do I  
6 understand what does that mean?

7 **A Oh, well, okay.**

8 Q So, I'm asking you what your understanding  
9 is about somebody sending something in. If I had a  
10 deadline on a zoning application and I got it here but  
11 you didn't get here until nighttime hours, how does  
12 that work?

13 MS. POHLENZ: Objection, narrative, compound  
14 question. It's, frankly, a confusing question and  
15 it's inconsistent with testimony already provided.

16 MS. LIVINGSTON: Right because the witness  
17 didn't understand.

18 MR. MANION: You can answer the question if  
19 you understand it.

20 MS. POHLENZ: One more objection is using --  
21 it's also -- well, it's not relevant. Go ahead.

22 Q (By Ms. Livingston) Well, it is relevant. My  
23 question is: If someone delivered a document to this  
24 office on the day that it was due and you didn't see

1 it that day, do you consider that that person missed  
2 their deadline?

3 **A No.**

4 Q Okay. And if it happened to be that a  
5 document, say, four binders didn't happen to get a  
6 stamp on it, is it your opinion then that that was not  
7 received by the Village?

8 **A Well, if it's in the Village -- if it's in**  
9 **the Village offices I would figure Mike Mitchell had**  
10 **it, so it was delivered to the Village, so it would be**  
11 **technically filed.**

12 MR. MORAN: I move to strike --

13 MS. POHLENZ: I move to strike.

14 MR. MORAN: -- both of those answers. The  
15 last two answers that he's given as being legal  
16 conclusions.

17 MS. POHLENZ: And I'll join in the motion.

18 MS. LIVINGSTON: Because that's what you  
19 guys were asking him about. And the guy doesn't even  
20 know what you're trying to do to trick him into. So  
21 I'm just trying to clarify it.

22 MS. POHLENZ: No one is trying to trick  
23 anyone except -- well...

24 MS. LIVINGSTON: Okay.

1 Q (By Ms. Livingston) So -- okay. Do you even  
2 recall how I started that?

3 (The requested portion of the record  
4 was read by the court reporter.)

5 Q (By Ms. Livingston) So, as you sit here  
6 today, you do not personally know what day the siting  
7 application for Caseyville Transfer Station was  
8 actually received; is that true?

9 A Yes, ma'am.

10 Q Okay. But just because you don't know what  
11 day it was received, that doesn't mean it wasn't  
12 received; right?

13 A Yes, ma'am.

14 Q And, in fact, you found it in Mike  
15 Mitchell's office?

16 A Yes.

17 Q And if Mr. Moran's testimony is correct, you  
18 were looking for it the very first week that it was  
19 here; is that true?

20 A Well, whenever the person came in, that's  
21 when we were --

22 Q All right.

23 A If that was the first week, I can't say if  
24 it was the first week or not.

1           Q     All right. So if it was filed on February  
2     10th and this individual came in on February 12th as  
3     represented by Mr. Moran and then Friday was  
4     Valentine's day and you let him in here then, in fact,  
5     that individual would have seen the record within five  
6     days of it being received; right?

7                   MR. MORAN: Objection, that's not what I  
8     said.

9                   MS. LIVINGSTON: It isn't what you said?

10                  MR. MORAN: I didn't say he came in here on  
11     the 14th and looked at it. I said he received a  
12     voicemail message --

13                  MS. LIVINGSTON: On the 14th.

14                  MR. MORAN: -- from an individual at the  
15     Village at approximately 8:00 p.m. on February 14th, a  
16     very unusual time, to say that the application was now  
17     available for review.

18                  MS. LIVINGSTON: All right. Okay.

19           **A     Well, if it would have been eight o'clock at**  
20     **night, I work til six, seven o'clock and I come here**  
21     **after hours to do whatever work I have to do. If it's**  
22     **peculiar to them, it's not peculiar to me.**

23           Q     (By Ms. Livingston) All right. If what  
24     Mr. Moran has just stated is the truth, then would it



1 be fair to say that you made the record available to  
2 this individual as soon as you knew about it and you  
3 indicated to him within the same week it was filed  
4 that it would be available to him?

5 **A Yeah.**

6 MS. POHLENZ: Objection. He testified he  
7 didn't know what date it was filed.

8 **A Right.**

9 MS. LIVINGSTON: I was asking if Mr. Moran  
10 was correct in his statements if that would be a true  
11 statement.

12 MS. POHLENZ: Mr. Moran didn't testify or  
13 state what date it was filed. So, again, same  
14 objection.

15 MR. MANION: You can answer it if you know.  
16 If you understand the question.

17 MS. POHLENZ: Talk about a trick question.

18 MS. LIVINGSTON: Well, the application was  
19 filed on February 10th, so it's not a trick question.

20 MS. POHLENZ: So far no one has testified to  
21 that but let's have him --

22 MS. LIVINGSTON: I'm sorry. Mr. Siemsen  
23 testified to that and he has hotel receipts that can  
24 prove he drove down here from Chicago. So you can't

1 say no one testified to that. The person who applied,  
2 testified that he applied on the date that he was  
3 supposed to apply.

4 Q (By Ms. Livingston) So I'm just saying if  
5 Mr. Siemsen's testimony is true and he filed it on the  
6 10th and Mr. Moran's testimony is true and someone  
7 asked for it on the 12th and got a voicemail on the  
8 14th, then if those other people's testimonies are  
9 true, then would that indicate to you that you were  
10 being responsive to the individual looking for the  
11 record within the same week it was filed?

12 MS. POHLENZ: Objection, calls for  
13 speculation.

14 MR. MANION: You can answer it if you  
15 understand it.

16 A It -- if the call was -- if we're going with  
17 his call, it would have been probably the following  
18 week if it was made available.

19 Q (By Ms. Livingston) Okay. You think that  
20 Mr. Moran is incorrect?

21 A If he --

22 Q You think it was the next week?

23 A Right. Because if it was eight o'clock on  
24 the 12th and he said it's a Friday, so...

1 MR. MORAN: The 14th.

2 MS. LIVINGSTON: Valentine's day.

3 A The 14th, right. If it was on a Friday and  
4 he got the call, then it wouldn't have been available  
5 that day for him. It would have had to have been the  
6 following week.

7 Q (By Ms. Livingston) Right. Okay, I got it.  
8 But I was just indicating that you were -- if you made  
9 that phone call, you were being cooperative?

10 A Yes.

11 Q Okay. You mentioned that Susan Piassa,  
12 P-I-A-S-S-A, had conversations with you?

13 MS. POHLENZ: I don't think he mentioned  
14 that at all.

15 MS. LIVINGSTON: I wrote it down, so he  
16 mentioned it. Would you like the court reporter to  
17 word search it?

18 A The comment that I made was she asked for --  
19 she came down and made copies of the -- of whatever  
20 the application was, she was one of the persons that  
21 came.

22 Q (By Ms. Livingston) Right.

23 A That's what I said.

24 Q I mean, you did mention she came in.

1           **A     Yes. With a copier person to make copies of**  
2 **whatever we had.**

3           Q     All right. Did you have conversations with  
4 her when she came in?

5           **A     No, I wasn't here when she came in.**

6           Q     You were just saying you were aware of it?

7           **A     Leslie --**

8           MS. POHLENZ: He just said that she came in  
9 to make copies, he never talked about a discussion  
10 which is why I objected to your question. So you  
11 wrote it down wrong.

12          **A     Leslie would have taken care of that because**  
13 **during the day I'm not here.**

14          Q     (By Ms. Livingston) All right. Have you ever  
15 had any conversations with Susan Piassa?

16          **A     We've had conversations via e-mail, her**  
17 **wanting FOIA requests for certain things. We've**  
18 **talked how she wanted copies during meetings of**  
19 **certain things. That's about it. Nothing other than**  
20 **that.**

21          Q     All right. Her FOIA requests and her  
22 conversations with you asking for copies of things at  
23 meetings, were they all related to the Caseyville  
24 Transfer Station?

1           **A**     **I think most of it was. I can't recollect**  
2 **what the FOIA was for.**

3           **Q**     **Okay. Were you aware that Susan Piassa and**  
4 **her company were seeking to be exclusive trash haulers**  
5 **for the Village of Caseyville?**

6           **A**     **I did not know that.**

7           MS. POHLENZ: Objection.

8           **A**     **I did not know that.**

9           MS. POHLENZ: It calls for speculation.

10          MS. LIVINGSTON: Well, no, I'm asking him if  
11 he was aware and he said he wasn't, so he didn't  
12 speculate.

13          **A**     **Yeah, that's not -- no. I thought she was**  
14 **interested in what everybody else was needing copies,**  
15 **that's all I knew.**

16          **Q**     **(By Ms. Livingston) Okay. Have you ever seen**  
17 **as Village Clerk a proposal for an ordinance for local**  
18 **siting approval?**

19          **A**     **If that's the thing that we approved when**  
20 **the initial -- I think it was the initial -- I want to**  
21 **say it was the initial thing that we did for Mr.**  
22 **Siemens, I think.**

23          **Q**     **You're thinking of the host agreement.**

24          **A**     **Right.**

1 Q All right.

2 A I think that's the only thing that I...

3 Q Okay. How many citizens live in Caseyville?

4 A I'm going wag 5,400 maybe. I have to go  
5 with a wag, I don't...

6 Q I'd have said less, so I didn't realize.  
7 That's good. All right. And how many board members  
8 do you have on the Village board?

9 A Six.

10 Q Do you attend all of the Village meetings?

11 A I attend when I can or if I'm out of town.

12 Q Did you attend the May 29th public hearing  
13 on the local siting approval?

14 A No. My wife's grandmother was in the  
15 hospital.

16 Q Okay. At any time did anyone ever indicate  
17 to you that you were not to receive documents after a  
18 certain date on this local siting application?

19 A I think the attorney may have mentioned it.

20 Q All right. Do you recall what he said?

21 A Not offhand. I think he said there was a  
22 certain time that there had to be a cut off. I don't  
23 remember the exact verbiage.

24 Q All right. Do you know which attorney?

1           **A     It would had to have been John Gilbert.**

2           **Q     All right. Did he send you anything in**  
3           **writing that said, hey, here's your deadline, don't**  
4           **accept anything after this date?**

5           **A     I don't think so.**

6           **Q     Okay. Now, if things were received**  
7           **concerning the local siting application, does that**  
8           **necessarily mean that you read the documents,**  
9           **recognized the documents, paid attention to what the**  
10          **documents were?**

11          **A     I may have briefly scanned some of them. I**  
12          **know I read the replies back from Mr. Siemsen because**  
13          **there was one that looked the same. It was the**  
14          **application and then there was one that looked the**  
15          **same. He was answering the questions to those, so I**  
16          **needed to differentiate so I didn't throw one away.**

17          **Q     Okay, fair enough. What are the duties of**  
18          **Leslie McReynolds?**

19          **A     Well, she's got tons of them. Deputy Clerk**  
20          **is the one. She's the accounts receivable. She's --**  
21          **she takes care of all our locust [ph] stuff,**  
22          **financials, pretty much she's got a lot. I can't name**  
23          **it all. I mean, there's a lot. I just -- off the top**  
24          **of my head, that's the most important ones that she**

1     **does.**

2           Q     It's fair to say that you rely heavily upon  
3 her and her skills?

4           A     **Yes. Because I wouldn't have any time to do**  
5 **most of the stuff. People wouldn't have been able to**  
6 **get what they needed if she wasn't here. I mean, her**  
7 **taking care of it for me.**

8           Q     Okay. And you mentioned that you have a day  
9 job. Where is your day job?

10          A     **It's at Scott Air Force Base.**

11          Q     All right. What do you do for Scott Air  
12 Force Base?

13          A     **I'm the Chief of the Global Reach Planning**  
14 **Center.**

15          Q     What does the Global Reach Planning Center  
16 do?

17          A     **It's a conference center.**

18          Q     For military?

19          A     **Yes.**

20          Q     So you coordinate meetings at the Global  
21 Reach Conference Center?

22          A     **Meetings, conferences, stuff like that,**  
23 **yeah.**

24          Q     Skype?



1           **A     BTCs, DCOs, stuff like that.**

2           Q     All right. The area you're in, does  
3 everything shut down when somebody comes in?

4           **A     Yeah.**

5           Q     Yeah, I was in that room once. Okay. All  
6 right. Is it fair to say that if a particular  
7 document received by this office didn't have a file  
8 stamp date on it and it still doesn't have a file  
9 stamp date on it, that you would still consider that  
10 if it was received by this office, that it was  
11 received by this office?

12          **A     Yes.**

13                   MR. MORAN: Objection.

14                   MS. POHLENZ: I join in the objection.

15                   MR. MORAN: Asking for --

16                   MR. MANION: He's already answered the  
17 question.

18           Q     (By Ms. Livingston) That's all right. I just  
19 wanted to make sure. Although it might be good if I  
20 could finish my question before the objection came.

21                   MR. MANION: Were you able to get the  
22 question down?

23                   MR. MORAN: I think you did finish the  
24 question.

1 MS. LIVINGSTON: No, I had two more words.

2 MR. MORAN: Well, you can throw them in.

3 MS. LIVINGSTON: No, she got it.

4 Q (By Ms. Livingston) Within the realm of your  
5 personal knowledge, do you have any reason to believe  
6 that the application for local siting filed by Mr.  
7 Siemens was not filed on February 10th?

8 MS. POHLENZ: Objection. It is inconsistent  
9 with -- he's already asked and answered the question.  
10 It's -- you're asking it in a manner that  
11 mischaracterizes what he's already said.

12 MS. LIVINGSTON: All right. I'm going to  
13 give you my question again, just so the question and  
14 the answer are next to each other and she has a  
15 standing objection.

16 Q (By Ms. Livingston) My question was: Do you  
17 have any basis of knowledge, personal to you, within  
18 the realm of your knowledge, do you have any basis for  
19 disputing that the application for local siting was  
20 filed by Mr. Siemens on February 10th, 2014?

21 **A All right. Say that again because I'm**  
22 **trying to...**

23 Q Do you have any reason to believe that the  
24 application was not here on February 10th?

1           **A     No, I don't. I -- no, I can't.**

2           Q     Okay. I think we've covered it.

3                               [EXAMINATION]

4           BY MS. POHLENZ:

5           Q     At the same point, do you have any reason to  
6 believe that the application was here on February 10th  
7 personally?

8           **A     That it was here?**

9           Q     Yeah.

10          **A     Yeah, it would had to have been if Mike**  
11 **Mitchell had it, yeah.**

12          Q     On a specific date?

13          **A     On a specific date.**

14          Q     I'm not saying that it was here in general.  
15 I'm saying do you have personal knowledge that it was  
16 here on February 10th?

17          **A     I, myself, no.**

18          Q     Okay. That's it.

19                       MR. MORAN: I have a couple questions.

20                       MR. MANION: Okay. I might have got skipped  
21 along the way.

22                               [EXAMINATION]

23          BY MR. MANION:

24          Q     Did you ever speak with anyone within the

1 Village to try to determine when the box with the  
2 binders was received in Village Hall?

3 **A I tried to talk -- I think I talked to Mike**  
4 **Mitchell about it, but I can't recollect what the**  
5 **conversation.**

6 Q Okay. Anyone else within the Village Hall?

7 **A The only other person I would have talked to**  
8 **about it was Leslie.**

9 Q Okay. But it would be possible that if  
10 Leslie was at lunch?

11 **A Keri could have taken care of it for her.**

12 Q And if Leslie was at lunch and Keri was sick  
13 or using vacation --

14 **A There would have been somebody from the**  
15 **Water Department would have took it.**

16 Q Okay. Does it happen from time to time that  
17 if Keri's out for sick or vacation or Leslie's out for  
18 sick or vacation and when one of them's out to lunch  
19 across the hall --

20 **A Yes.**

21 Q -- they have to receive documents?

22 **A Yes, they have to receive documents.**

23 Q Okay. And if they do that, do you consider  
24 those documents filed when received by the people

1 across the hall?

2 **A Yeah, because they would -- because the**  
3 **office manager works over there.**

4 Q Okay. And the people across the hall  
5 wouldn't have access to the received stamp?

6 **A No, they wouldn't have stamped it; no.**

7 Q Okay. So, a stamp isn't determinative of  
8 whether a document is received or when it's considered  
9 received; correct?

10 **A Yes.**

11 Q Okay. And basically you're -- within  
12 Village Hall a very small amount of the time during  
13 business hours; isn't that correct?

14 **A Oh, yeah, that's definitely correct.**

15 Q Okay. And you rely on the Village  
16 employees--

17 **A Yes.**

18 Q -- to receive documents for you as Village  
19 Clerk?

20 **A Yes.**

21 Q Okay. I don't have any other questions.

22 MR. MORAN: I do.

23 {C}\* \* \*

24 {C}\* \* \*

1 [EXAMINATION]

2 BY MR. MORAN:

3 Q Mr. Watt, do you have any information or  
4 personal knowledge that Leslie McReynolds delivered  
5 any materials out of that envelope or from that box  
6 that had siting materials to any of the mailboxes of  
7 the trustees?

8 A I wouldn't say I would have seen her, no.

9 Q So you have no personal knowledge that that  
10 actually happened; correct?

11 A If she did, she did it on her own. She  
12 was --

13 Q I'm sorry, that's not my question. My  
14 question is: You don't have any personal knowledge.  
15 I don't want you to speculate. You did when you  
16 answered Ms. Livingston's question. So that's what  
17 I'm trying to get at now. I don't want any  
18 speculation.

19 Do you have any personal knowledge that  
20 Leslie McReynolds actually sent any materials from  
21 that envelope or from that siting material area to any  
22 of the mailboxes of trustees?

23 A No, I don't.

24 Q Okay. Can you give us any reasons why

1 neither you nor anyone at the Village tried to  
2 determine the date on which the siting application was  
3 actually received so that the proper date stamp could  
4 be put on the application?

5 **A No, I don't.**

6 Q Thank you. That's it.

7 MS. LIVINGSTON: Okay. Thanks.

8 MS. POHLENZ: Would you like to tell him  
9 about waiving or reserving?

10 MR. MANION: You have the opportunity to  
11 read the transcript. So she's going to type up  
12 everything that was asked and answered and you can  
13 review it and you can basically just make sure that  
14 everything was properly transcribed or you can waive  
15 the right to do that. I usually suggest in these  
16 circumstances like this that you just waive it unless  
17 you particularly want to.

18 THE WITNESS: That's fine, I'll waive.

19 MR. MANION: Okay.

20 MS. POHLENZ: And while we have you here, I  
21 just wanted to ask. yes.

22 COURT REPORTER: Stay on the record?

23 MS. POHLENZ: Yeah, still on the record. So  
24 this process is a little bit different. So, we take a

1 deposition and then I'm going to have an opportunity,  
2 as well as the other parties to read it. And I'm  
3 going to suggest to the other parties if after I read  
4 it I think, well, that's about -- you know, we'll save  
5 some time here and we don't need to call you back for  
6 hearing and I'll ask them if that's acceptable to them  
7 that we do so. If either any one of us read it and we  
8 think, well, we need to call you back for a hearing, I  
9 understand that you're going to be traveling.

10 THE WITNESS: Yeah. I'll be gone the 28th.

11 MS. POHLENZ: Would you be available then on  
12 the 27th to come back if we needed you to?

13 THE WITNESS: No.

14 MS. POHLENZ: Okay.

15 THE WITNESS: We are getting ready to do the  
16 final pieces of the kits and stuff that we're taking  
17 on the 27th.

18 MS. POHLENZ: What date would you be  
19 available if we needed to ask you to come back?  
20 Because my understanding from Mr. Manion was the 27th  
21 at 9:00 a.m.

22 THE WITNESS: I thought it was the --

23 MR. MANION: We talked about that and I  
24 asked you to stipulate to that and then you said you



1 wouldn't stipulate, so I don't -- we didn't have  
2 anything further conversation.

3 MS. POHLENZ: You asked me to give up my  
4 right to the deposition is what you asked --

5 MR. MANION: Right.

6 MS. POHLENZ: -- and I said I wouldn't.

7 MR. MANION: Right. And that was several  
8 days ago, so I don't know. We haven't had any further  
9 conversations about it.

10 MS. POHLENZ: Okay. So, I'm asking you  
11 because I was told that 9:00 a.m. on the 27th you  
12 would be available. Instead of attending the hearing  
13 to accommodate that and, you know, have the subpoena  
14 then be for the 27th. I'm not saying we're all going  
15 to ask you to come back on that date because like I  
16 said the likelihood is we're going to read this and  
17 I'm going to ask everyone if they agree and that will  
18 be sufficient.

19 MR. MANION: I don't know why this needs to  
20 be on the record.

21 MS. POHLENZ: So I'm just asking when  
22 you're -- when you could be available?

23 MR. MANION: Is the deposition done?

24 MS. POHLENZ: I'm just asking that this

1 continue to be on the record.

2 MR. MANION: Well, okay, I think the  
3 deposition's already done. So I'm objecting to  
4 anything else on the record.

5 MS. LIVINGSTON: For example, I don't know  
6 why this is an issue either but it wasn't noticed as  
7 an evidentiary deposition even though everyone knows  
8 that you're unavailable on the date of the hearing.

9 MS. POHLENZ: We didn't know that when we  
10 sent out the subpoenas for the hearing. So, I just  
11 want to know when you would be available, Mr. Watt.  
12 If you can let us know that will help us, if we needed  
13 to schedule something. That's it.

14 THE WITNESS: I can't tell you right now. I  
15 have to get back and look at my schedule and if I  
16 can't make it on the 27th then I just can't.

17 MS. POHLENZ: Okay. Then what about the  
18 26th or the 25th?

19 THE WITNESS: I'd have to look at my  
20 schedule.

21 MS. LIVINGSTON: I'm sorry, you're asking  
22 him if he could make it on Sunday or Saturday this  
23 week?

24 MS. POHLENZ: It's not me who is expediting

1 this. I'm doing everything to compensate --

2 MS. LIVINGSTON: I'm sorry. We're just  
3 following the rules and it was my understanding --

4 MS. POHLENZ: You have the right to waive  
5 the rules.

6 MS. LIVINGSTON: Right. And we have the  
7 right not to.

8 MR. MANION: We're done. Let's get out  
9 here.

10 MS. POHLENZ: Thank you, Mr. Watt.

11 COURT REPORTER: Are we off the record?

12 MS. POHLENZ: We are off the record. Etran,  
13 scanned exhibits and transcripts Friday morning by  
14 10:00.

15 MS. LIVINGSTON: I would like the Exhibits  
16 attached to the transcript. Scanned is fine. And I  
17 need the transcripts Friday, also.

18 (Whereupon signature was waived, and  
19 the deponent was excused.)

20 (The original exhibit retained by  
21 counsel, a copy of exhibit attached to  
22 the record.)

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REPORTER CERTIFICATE

I, Elizabeth A. Goodwin, RPR, MO-CCR,  
IL-CSR, do hereby certify that there came before me at  
Village of Caseyville, 909 South Main Street,  
Caseyville, IL 62232,

ROBERT WATT,

who was by me first duly sworn; that the witness was  
carefully examined, that said examination was reported  
by myself, translated and proofread using  
computer-aided transcription, and the above transcript  
of proceedings is a true and accurate transcript of my  
notes as taken at the time of the examination of this  
witness.

I further certify that I am neither attorney  
nor counsel for nor related nor employed by any of the  
parties to the action in which this examination is  
taken; further, that I am not a relative or employee  
of any attorney or counsel employed by the parties  
hereto or financially interested in this action.

Dated this 23rd day of October, 2014.

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ELIZABETH A. GOODWIN, RPR, MO-CCR, IL-CSR

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ROXANA LANDFILL, INC., )  
 )  
 PETITIONER, )  
 )  
 vs. ) NO. PCB 15-65  
 ) (Third Party Pollution  
 ) Control Facility Siting  
 ) Appeal)  
 )  
 VILLAGE BOARD OF THE )  
 VILLAGE OF CASEYVILLE, )  
 ILLINOIS; VILLAGE OF )  
 CASEYVILLE, ILLINOIS; AND )  
 CASEYVILLE TRANSFER )  
 STATION, LLC, )  
 )  
 RESPONDENTS. )  
 \_\_\_\_\_ )  
 )  
 VILLAGE OF FAIRMONT CITY, )  
 ILLINOIS, )  
 PETITIONER, )  
 )  
 vs. ) NO. PCB 15-69  
 ) (Third Party Pollution  
 ) Control Facility Siting  
 ) Appeal) (CONSOLIDATED)  
 )  
 VILLAGE OF CASEYVILLE, )  
 ILLINOIS; BOARD OF TRUSTEES) )  
 AND CASEYVILLE TRANSFER )  
 STATION, LLC. )  
 )  
 RESPONDENTS. )

DEPOSITION OF LESLIE MCREYNOLDS  
TAKEN ON BEHALF OF THE PETITIONER  
OCTOBER 22, 2014

Elizabeth A. Goodwin, RPR, IL-CSR, MO-CCR  
CSR No. 084.004310, CCR No. 831

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Exhibit 13, Group of e-mails .....14  
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 Mr. Siemsen  
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 STATION LLC'S OBJECTION TO FALSE  
 INFORMATION PRESENTED BY OPPONENTS  
 REGARDING 1000 FOOT SETBACK  
 REQUIREMENT

(Original Exhibits retained by Counsel.)  
(Copies of Exhibits attached to transcript.)





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A P P E A R A N C E S

Petitioner Roxana Landfill represented by  
Ms. Jennifer Pohlenz of Clark Hill, PLC, 150 N.  
Michigan Ave. Suite 2700, Chicago, IL 60601.

Respondent Caseyville Transfer Station  
represented by Ms. Penni S. Livingston of Livingston  
Law Firm, 5701 Perrin Road, Fairview Heights, IL  
62208.

Petitioner Village of Fairmont City  
represented by Mr. Donald J. Moran of Pedersen &  
Haupt, 161 N. Clark Street Suite 3100, Chicago, IL  
60601.

Respondent Village Board of the Village of  
Caseyville, Illinois and Village of Caseyville,  
Illinois represented by Mr. J. Brian Manion of  
Weilmuenster Law Group, P.C., 3201 West Main Street,  
Belleville, IL 62226.

Also Present: John Siemens, Esq.



1           Q     The court reporter is here to transcribe  
2 what we say. So, it helps her out a lot in the  
3 transcription if I wait for you to finish answering a  
4 question and if you wait for me to finish asking a  
5 question and we try not to interrupt each other so  
6 that she can write without having to write what two  
7 people are saying. Which I don't even know if she can  
8 do.

9           **A     Okay.**

10          Q     Does that make sense?

11          **A     Yes.**

12          Q     Okay. In addition, if I say -- ask you a  
13 question that doesn't make sense to you or you didn't  
14 hear it, I ask that you just ask me to ask that  
15 question again or tell me you don't understand it and  
16 I'm happy to rephrase it or repeat it for you.

17          **A     Okay.**

18          Q     If you need a break at any time, let us know  
19 and we are happy to do that.

20          **A     Okay.**

21          Q     Leslie, for -- you know what as -- for whom  
22 do you work?

23          **A     The Village of Caseyville.**

24          Q     And what do you do?

1           **A     Accounting.**

2           Q     Accounting.

3                   MR. MORAN:    Could you ask her her name for  
4   the record?

5                   MS. POHLENZ:    Oh, I'm sorry.    That's a good  
6   idea.   I'm so focused on these documents because of  
7   the mess I made for myself this morning.

8           Q     (By Ms. Pohlenz) Could you please state your  
9   name and spell it for the record?

10          **A     Leslie, McReynolds, L-E-S-L-I-E,**  
11 **M-C-R-E-Y-N-O-L-D-S.**

12          Q     And, Leslie, what do you do for the Village?

13          **A     I do the accounting and I'm the Deputy**  
14 **Clerk.**

15          Q     What are your responsibilities as the Deputy  
16 Clerk?

17          **A     To assist the Clerk as-needed.**

18          Q     Okay.   And do you have the authority,  
19 without being specifically given to you by the Clerk,  
20 to file documents on behalf of the Village?

21          **A     File with who?**

22          Q     With the Village.

23          **A     Sometimes.   I mean, I can pull ordinances,**  
24 **resolutions, things like that, but as far as anything**

1     **legal, I go through him first.**

2           Q     Okay. So, in other words, if someone came  
3     in -- if I came in to file something with you, let's  
4     say, my written comment that Roxana filed in the  
5     course of the siting hearing. Would that be something  
6     that you would file, that you would call him or had a  
7     discussion with him in advance, anything that came  
8     into the public record you were allowed to file?

9           A     **I would just stamp it received and put it in**  
10    **his box.**

11          Q     Then what would happen after that?

12          A     **I don't know.**

13          Q     Okay. So, after you stamp it received and  
14    but it in his box -- and that's his mailbox that's  
15    located where?

16          A     **Right outside of his office door.**

17          Q     Okay. So, it's in the Village Hall outside  
18    his office door. What -- How big is this box?

19          A     **Probably 12-by-12.**

20          Q     Okay. So, is it a box that's on the wall or  
21    is it a box that's on like a desk or something?

22          A     **Correct, it's on the wall.**

23          Q     It's on the wall. Okay. So, when he comes  
24    in then what he does with those documents you're not

1 aware of?

2 **A Correct.**

3 Q Okay. Would you put any documents on the  
4 Caseyville Transfer Station, LLC location or site  
5 location approval, would you put any documents into  
6 the public record without him telling you to do so?

7 **A No. I filled in at the public hearing.**

8 Q That's right. And we'll get to that in a  
9 little bit.

10 **A Yeah.**

11 Q In terms of that process maybe being a  
12 little bit different from --

13 **A Correct.**

14 Q -- what your normal process was?

15 **A Yes.**

16 Q Okay. So, can we wait for that for a little  
17 bit later?

18 **A Yes.**

19 Q Okay. Now, do you know who John Siemsen is?

20 **A Yes.**

21 Q So, you recognize him sitting here at the  
22 table with us?

23 **A Yes.**

24 Q Okay. And at some point John Siemsen came

1 into Village Hall up to the glass window where the  
2 administrative offices are located. Is that also  
3 where you sit?

4 **A Yes.**

5 Q Okay. Do you recall him coming into the  
6 office with a box of four binders of documents?

7 **A No.**

8 Q Okay. So, did you ever take a box with four  
9 binders of documents from Mr. Siemsen and bring them  
10 into the Village?

11 **A I don't know.**

12 Q You don't know, okay.

13 Do you recall Mr. Siemsen ever contacting  
14 you -- and it can be by e-mail or by phone or however,  
15 in person -- to let you know, hey, Leslie, I want to  
16 let you know that I'm going to be filing a siting  
17 application -- he didn't have to use those exact  
18 words, but the gist of it -- on February 10th, I  
19 wanted to give you a heads up I'll be coming by. Did  
20 you ever receive a call or any type of communication  
21 from him?

22 **A I don't know.**

23 Q Okay. Do you know of anyone in the Village  
24 Hall who accepted on behalf of the Village a box with

1 four binders of documents from Mr. Siemsen?

2 **A I don't know.**

3 Q Does anything that comes into the Village --  
4 well, let me back up. Strike that.

5 With respect to that front office, who are  
6 the people who -- besides you at that front office,  
7 who someone comes into the Village to deliver a  
8 document would be receiving it?

9 **A Keri Cary.**

10 Q Okay. And, I'm sorry, the name is Cary? Is  
11 this Keri Davis Cary?

12 **A Correct.**

13 Q Can you spell her name for us?

14 **A K-E-R-I, C-A-R-Y.**

15 Q Keri Cary. So, other than you and Keri  
16 Cary, and I guess the exception of Rob Watt is there  
17 too, is there anyone else who would be bringing  
18 documents from -- who are not employed by the  
19 Village -- is there anyone else who would be accepting  
20 documents from someone who is not employed by the  
21 Village and bringing them into the Village?

22 **A No.**

23 Q When something is received by either you or  
24 Keri Cary, is there a received stamp that goes on that



1 document?

2 **A Yes.**

3 Q And does -- To your knowledge, to your  
4 understanding, does Keri Cary follow the same  
5 procedure that you do, put the received stamp on it  
6 and put it in Rob Watt's box?

7 **A I don't know.**

8 Q You don't know.

9 **A I'm the only one with a received stamp.**

10 Q Okay. So what is Keri Cary's position with  
11 the Village, if you know?

12 **A Administration.**

13 Q Does she sit at a different part of the --  
14 there seems to be like two areas when you first walk  
15 in with glass windows. Does she sit at one and you  
16 sit at the other?

17 **A Yes.**

18 Q Okay. Is there a difference between the two  
19 in terms of their labeling?

20 **A The window I sit in front of does not have  
21 an opening, a way to speak to the public.**

22 Q And Keri Cary's does?

23 **A Yes.**

24 Q Is there different signage that you know of?

1           **A     There's no signage on the window that I sit**  
2 **in front of.**

3           Q     Okay. And what does Keri Cary's window say,  
4 do you know?

5           **A     Administration.**

6           Q     If someone comes to Keri Cary's window with  
7 documents to be filed or received by the Village, does  
8 she take them or does she tell you to come over to her  
9 window?

10          **A     She takes them.**

11          Q     Okay. And then what does she do with them,  
12 when you've seen her take documents?

13          **A     She puts them in the boxes for whomever they**  
14 **were addressed to.**

15          Q     Okay. And what about documents that are  
16 being filed with the Village, would she take them or  
17 if you're sitting there would she ask you to come  
18 over?

19          **A     She would take them.**

20          Q     Okay. And what would -- when you see her  
21 take documents when you're also sitting there, what  
22 does she do, does she ask you ever for your file  
23 stamp?

24          **A     No.**

1 Q If we see --

2 A **Occasionally.**

3 Q Okay. I'm going to hand you a big stack of  
4 e-mails that I've produced previously but -- do you  
5 want to see all of them?

6 MS. LIVINGSTON: No, that's all right.

7 MS. POHLENZ: Okay.

8 MS. LIVINGSTON: I'm going to take your word  
9 on that one.

10 MS. POHLENZ: And we're going to mark it --  
11 Brian, is it okay if I mark it?

12 MR. MANION: Yeah, sure.

13 MS. POHLENZ: Mark it Deposition Exhibit No.  
14 13.

15 (Exhibit 13 was marked for  
16 identification by the court reporter.)

17 Q (By Ms. Pohlenz) I want you to go through  
18 this -- and don't worry we're not going to sit here  
19 and hover over you looking at it, take your time and  
20 go through it. I want you to make sure that these are  
21 e-mails that are between you and me. It could also be  
22 between you and me and other people but at least you  
23 and me are on these e-mails, or you and someone else  
24 are on these e-mails, such that you can look at this

1 and say, yes, this is a true and accurate copy of an  
2 e-mail I sent or that I received as Leslie McReynolds.  
3 Okay?

4 **A Okay.**

5 MR. MANION: If you have any questions when  
6 you're going through them, just let me know and we can  
7 go talk about it if we need to.

8 **A Do you want me to read all of them or do you**  
9 **want me to just verify that these are from me or to**  
10 **me?**

11 Q (By Ms. Pohlenz) Right. Well, I want you to  
12 verify that the content is true and accurate. So you  
13 are going to have to read them.

14 **A Okay.**

15 Q You may read them and realize yes, this  
16 is -- yes, I realize this is an e-mail I wrote and you  
17 can skim through it in doing that, that's really up to  
18 you. But I need you to look through every page of  
19 that to make sure that these are documents that either  
20 you received or that you sent.

21 **A Okay.**

22 MS. LIVINGSTON: Okay. Just so we're all on  
23 the same page. If you have specific questions about  
24 specific e-mails that you want to ask her about, it

1 might be more efficient if you point those e-mails out  
2 and ask her is that one true, is that one true, as  
3 opposed to having her read an inch stack of things  
4 that say, hey, how are you doing.

5 MS. POHLENZ: But they don't say, hey, how  
6 you doing.

7 MS. LIVINGSTON: So every single one of them  
8 is important to you?

9 MS. POHLENZ: I have culled out, yes, about  
10 half of what was produced.

11 MS. LIVINGSTON: Okay. All right. Then she  
12 needs to read them all.

13 I think there is also an issue about the  
14 fact that you're not listed as a witness. So, if you  
15 are asking us to stipulate to admissibility of e-mails  
16 between you and Ms. McReynolds, I think we might have  
17 an issue with that. I just thought I would raise it  
18 now while you are laying this foundation because you  
19 may find us not stipulating to that. Just thought I  
20 would mention it.

21 MS. POHLENZ: You know, you can make  
22 whatever objections you're going to make. I'll  
23 proceed with Ms. McReynolds.

24 We'll go off the record and let her look

1 through them.

2 (Recess.)

3 MR. MANION: Why don't we stay on the record  
4 because counsel has agreed to three hours.

5 MS. POHLENZ: Okay.

6 Q (By Ms. Pohlenz) Okay. Leslie, I'm handing  
7 you page 1 of Exhibit No. 13. This is -- shows an  
8 e-mail. It states it's from you to me on Tuesday,  
9 June 10th, 2014 at 11:30 a.m. Can you take a look at  
10 that e-mail and tell me is that a true and accurate  
11 copy of the e-mail that you sent to me on Tuesday,  
12 June 10th at 11:30 a.m.?

13 A Yes.

14 Q Okay. And below it is an e-mail from me to  
15 you, Rob Watt. And then this "RW" e-mail is also Rob  
16 Watt's; correct?

17 A Yes.

18 Q And it is dated June 10th, 2014 and it is at  
19 11:26 a.m. Can you take a look at that and tell me  
20 whether that's a true and accurate copy of an e-mail  
21 you received?

22 A Yes.

23 Q Okay. I'm showing you page 2 and 3 of that  
24 exhibit. And this contains an e-mail from me to you,

1 as well as Rob Watt, dated May 29th, 2014 at 9:05 a.m.  
2 Can you take a look at that e-mail and tell me whether  
3 that's a true and accurate copy of an e-mail that you  
4 received from me?

5 **A Yes.**

6 Q Okay. So that is pages 2 and 3 of that  
7 exhibit.

8 MS. LIVINGSTON: I was just going to ask  
9 you, too, are you changing your mind as to what's in  
10 the Exhibit?

11 MS. POHLENZ: I'm pulling out some  
12 duplicates.

13 MS. LIVINGSTON: Oh, all right. Because  
14 maybe it makes more sense that if we are going to run  
15 copies of this to run them now so we're looking at  
16 them while she's looking at them and we know what  
17 she's actually looking at.

18 MS. POHLENZ: If you want that, you can  
19 exclude it from the three hours.

20 MS. LIVINGSTON: Well, I don't think you're  
21 going to go the full three hours.

22 MS. POHLENZ: I know. But since he's  
23 tracking it, it needs to be excluded.

24 MS. LIVINGSTON: I don't disagree.

1 MS. POHLENZ: Okay. So are we --

2 MS. LIVINGSTON: I'm just saying if that  
3 would be easier.

4 MS. POHLENZ: Okay. Do you want to stop the  
5 deposition and do that?

6 MR. MANION: All right. If that's what  
7 everyone wants.

8 MS. LIVINGSTON: Okay. I think it would  
9 probably make better sense for you and I to be reading  
10 while she is reading them so we will know what she's  
11 reading. Okay.

12 MR. MANION: All right. Okay. How many do  
13 we need four?

14 MS. POHLENZ: No. Okay. We are off the  
15 record.

16 (Off the record.)

17 Q (By Ms. Pohlenz) So, I am handing you page 4  
18 and 5 and 6 of what we've marked as Exhibit No. 13.  
19 Can you take a look at e-mails dated June 10th, 2014,  
20 11:32 a.m. from me to you and Rob Watt is copied.  
21 June 10th, 2014 at 11:30 a.m. from you to me, and Rob  
22 Watt is copied on those three pages. Tell me if those  
23 are true and correct copies of what I sent to you and  
24 what you sent to me.



1           **A     Yes.**

2           Q     Okay.  And I'm going to hand you now what's  
3     been marked as page 7 and 8 of Deposition Exhibit 13.  
4     This is an e-mail from me to you on June 13th at  
5     6:56 a.m.  Can you tell me whether this e-mail from me  
6     to you is a true and accurate copy of an e-mail you  
7     received from me?

8           **A     Yes.**

9           Q     Okay.  And below it here that isn't anyone.  
10    It looks like what happened was I was trying to repeat  
11    something that I put up in here, but regardless where  
12    it says on or June 11th, 2014, 11:22 a.m.  Leslie  
13    McReynolds' wrote, is below it, please also provide,  
14    that's not you writing, that's --

15          **A     Correct.**

16          Q     Okay.  I just wanted to make that clear  
17    that's not part of -- that falls below my signature  
18    line on the e-mail on page 7 that we just discussed  
19    date -- from Friday, July 13th at 6:56 a.m.

20          **A     Yes.**

21          Q     Okay.  And I'm giving you what is page 9,  
22    10, 11 and 12 of Exhibit No. 13.  I'll ask you to take  
23    a look at page 9 and this is an e-mail from me to you  
24    and it is Friday, June 13th, 2014 at 12:13 p.m.  If

1 can you tell me if that is a true and accurate copy of  
2 an e-mail that you received from me.

3 **A Yes. Oh, do you want me to go through them**  
4 **all?**

5 Q No, that's okay. I'm going to turn the page  
6 because I'm going to skip through, hopefully, some of  
7 them. Starting on the bottom of page 9 and going  
8 to -- starting on the top of page 10, there is an  
9 e-mail from Rob to you. Below that -- then the e-mail  
10 from Rob to you is dated June 13th, at 8:45 a.m., and  
11 then below that is an e-mail from you to Rob and  
12 that's dated June 13th at 8:22 a.m. So it preceded  
13 the one from Rob to you. Are those true and accurate  
14 copies of e-mails that were exchanged between you and  
15 Rob Watt?

16 **A Yes.**

17 Q And it got to me because then you forwarded  
18 it to me with a response to my question, is that  
19 accurate?

20 **A I assume.**

21 Q Okay.

22 **A I mean, I -- at that point there were so**  
23 **many e-mails going back and forth, I think if you had**  
24 **sent me something then I would forward to him or he**

1     **would forward to me so I know there's a lot of blanks**  
2     **in-between there.**

3           Q     Okay. So, that's just the general process.  
4     In these e-mails there's quite a few where I send you  
5     a request and say I'm looking for these documents.  
6     The ones that we just read -- specifically I was  
7     looking for some documents that you showed me through  
8     the window on May 28th, so the day before the hearing,  
9     I came in and asked to see the record.

10           **A     Okay.**

11           Q     Do you recall showing me a stack of  
12     documents with a black binder clip through the window  
13     and saying to me that you had to check with Rob before  
14     you could turn them over to me?

15           **A     Yes.**

16           Q     And so I was asking for those documents --  
17     because I recognize that on the top sheet of what you  
18     showed me with the black binder clip, there were some  
19     e-mails.

20           **A     Okay.**

21           Q     So, that was part of what was in my request  
22     and I think we go back and forth a few times trying --  
23     for me trying to explain that to you. Do you recall  
24     that content?

1           **A     Yes.**

2           Q     And then in addition to that, another thing  
3     I was asking for was a Certificate of Publication that  
4     I understood Mr. Siemsen presented at the May 29th  
5     hearing and that was included in my request to you; do  
6     you recall that?

7           **A     The request or the publication?**

8           Q     The Certificate of Publication, me asking  
9     for it in an e-mail?

10          **A     Yes, you asking for it.**

11          Q     And then you in response asked Rob, here's  
12     some things that Jennifer Sackett Pohlenz is asking  
13     for, can I turn -- can I give them to her, what's the  
14     response. Is that kind of the procedure that was  
15     followed?

16          **A     Always, yes.**

17          Q     Always. So, not just with those e-mails but  
18     any time I would ask you for things, you would ask Rob  
19     and then he would respond to you and you would get  
20     back to me?

21          **A     Yes. Yes. So, if you would send me like a  
22     second request e-mail then I would forward it to Rob  
23     and ask him if he had addressed it or not and then go  
24     from there.**

1           Q     Okay.  So, when we see that in this packet,  
2     even when we don't see it in this packet, you would  
3     have done that as just your procedure --

4           **A     Yes.**

5           Q     -- you would have checked with him?

6           **A     Yes.**

7           Q     Okay.  All right.  Now, moving to page 13.  
8     This is an e-mail in the middle of the page from you  
9     to me dated June 17th at 8:58 a.m.  And then on the  
10    top of the page is an e-mail from me to you dated  
11    June 17th at 11:25 a.m.  Can you take a look at those  
12    and tell me whether those are true and accurate copies  
13    of e-mails that were exchanged between you and me?

14          **A     Yes.**

15          Q     And also switched -- switching back here --  
16    or here, actually.  So, at the e-mail that is from you  
17    to me dated the 17th of June at 8:56 a.m., is that  
18    your response to my e-mail at the bottom of the page  
19    that goes on to page 14 that's dated June 13th at  
20    12:13 p.m.?

21          **A     So, is this my response to your e-mail?**

22          Q     Below it.

23          **A     Below it.**

24          Q     Correct.  So, is your June 17th e-mail on

1 page 13 your response to my June 13th e-mail below it  
2 on page 13 to 14?

3 **A Yes.**

4 Q And is that a true and accurate copy of that  
5 exchange?

6 **A Yes.**

7 MS. POHLENZ: I'm going to take out some  
8 duplicates. The next three pages I pulled because  
9 they're duplicates.

10 MS. LIVINGSTON: After you listed 15, 16,  
11 and 17?

12 MS. POHLENZ: No. We ended on 14.

13 MR. MANION: So the one that starts, "here  
14 we go" and the two following.

15 MS. LIVINGSTON: Okay. So "here we go", do  
16 you agree that that's at the top of the page?

17 MS. POHLENZ: Yeah, the 15 is the top --

18 MS. LIVINGSTON: So "here we go", take out  
19 three pages?

20 MS. POHLENZ: Take out three pages because  
21 they're just duplicates.

22 Q (By Ms. Pohlenz) All right. Looking at the  
23 e-mail dated -- it's page 15 in Exhibit No. 13, the  
24 top of the page, is an e-mail from me to you dated

1 June 25th, 2014 at 2:52 a.m. Can you take a look at  
2 that e-mail and tell me whether that is a true and  
3 accurate copy of an e-mail you received from me?

4 MR. MANION: Just for clarification, it's  
5 p.m. not a.m.

6 Q (By Ms. Pohlenz) I'm sorry, p.m.

7 A Yes.

8 Q Okay. I am going to the next page that  
9 starts with the No. 3 and then two pages after that we  
10 can pull as duplicate copies. And so page 16 of  
11 Exhibit 13 will become an e-mail from me to Leslie  
12 dated Wednesday, June 25th, 2014 at 3:07 p.m. Can you  
13 take a look at that e-mail and tell me whether that is  
14 a true and accurate copy of an e-mail you received  
15 from me?

16 A Yes.

17 Q Okay. If you can take a look at the next  
18 grouping I'm handing you, it's Pages 17 through 31.  
19 And they are e-mails that are from you to me or me to  
20 you that may include Rob as a copy on them. And there  
21 could be some in there between you and Rob separately  
22 that were then forwarded to me. If you could take a  
23 look through the whole group and let me know whether  
24 you agree that all of the e-mails within that group

1 pages 17 to -- can you check the last page for me?

2 **A All right.**

3 Q Oh, did I skip a page?

4 **A Yeah, I think it would be through 32.**

5 Q Oh, let me see, 32, yeah. Thank you. So  
6 through 32 are true and accurate copies of what was  
7 exchanged between us?

8 **A Okay. Yes.**

9 Q Okay.

10 MS. LIVINGSTON: And you ended on page 31?

11 MS. POHLENZ: Correct.

12 MS. LIVINGSTON: And page 31 appears to be a  
13 memo dated June 23rd?

14 **A It's --**

15 MS. POHLENZ: No, 32, I'm sorry, we ended on  
16 page 32.

17 MS. LIVINGSTON: And that is the last page  
18 of the memo?

19 MS. POHLENZ: It is a letter dated June  
20 23rd, 31 and 32, that was an attachment to the e-mail.

21 MS. LIVINGSTON: Got it.

22 MS. POHLENZ: And just to go over that.

23 Q (By Ms. Pohlenz) Do you recall, Leslie, what  
24 you sent to me -- or whether what you sent to me in



1 this e-mail dated June 26th, 2014 at 11:02 a.m. the  
2 attachment, whether that's page 31 and 32?

3 **A Yes.**

4 Q Okay. So, May 29, 2014 was the night of the  
5 public hearing for the Caseyville Transfer Station,  
6 LLC site location approval. Do you recall that?

7 **A The public hearing?**

8 Q The public hearing?

9 **A Yes.**

10 Q And was -- you actually were substituting  
11 for Rob Watt as -- at that public hearing in place of  
12 the Clerk that night?

13 **A Yes.**

14 Q And was this something that you had known  
15 well in advance that you were going to be substituting  
16 for him that night or was this something that was last  
17 minute that you found out and had to?

18 **A It was last minute.**

19 Q And during the course of -- did anyone tell  
20 you why -- strike that.

21 Did anyone tell you why Rob Watt wasn't  
22 going to be there on the 29th for the public hearing?

23 **A Yes.**

24 Q And what was that reason?

1           **A     I don't know.**

2           Q     Okay.

3           **A     I remember getting an e-mail that day from**  
4 **him saying that he wasn't going to be able to make it.**

5           Q     Okay.

6           **A     And I'm sure he stated why, but I do not**  
7 **recall why. I don't know if he had to work, I don't**  
8 **know.**

9           Q     Okay. But you received that e-mail pretty  
10 close to the time the public hearing was happening or  
11 was it --

12          **A     It was probably mid afternoon, I believe, or**  
13 **early morning.**

14          Q     Mid afternoon to late morning did you say?

15          **A     Late morning to mid afternoon.**

16          Q     Okay, got it. So, do you know what I mean  
17 when I reference the public record for the Caseyville  
18 Transfer Station, LLC?

19          **A     The binders.**

20          Q     The Caseyville siting application is what  
21 you relate to as public record?

22          **A     Which was included in Volume 1 of the**  
23 **binders; correct?**

24          Q     The binders --

1                   MR. MANION: You have to let her ask the  
2 questions. So, if you don't understand what she's  
3 saying, you can say I don't understand and can you  
4 restate the question.

5           Q    (By Ms. Pohlenz) I'm going to re-ask it,  
6 Leslie.

7           **A    Okay.**

8           Q    What do you understand or what do you call  
9 the four binders that were the Caseyville site  
10 location application, Caseyville Transfer Station, LLC  
11 site location application?

12          **A    The public record.**

13          Q    You call that the public record?

14          **A    Yes.**

15          Q    And what about everything that everyone else  
16 filed with the Clerk regarding that proceeding, what  
17 do you refer to that as?

18          **A    The public record.**

19          Q    The public record. So everything that was  
20 filed you call -- you're referring to as the public  
21 record?

22          **A    Yes.**

23          Q    Okay. Just so I'm on the same page and I  
24 don't use a term that has a different meaning to you,

1 that's why I was clarifying that.

2 So, during the course of the public hearing,  
3 Caseyville Transfer Station, LLC submitted a number of  
4 documents into the public record. Do you recall that?

5 **A No.**

6 Q Okay. The Village of Fairmont City  
7 submitted an expert report into the public record. Do  
8 you recall that?

9 **A No.**

10 Q Okay.

11 **A I never added anything else myself to the  
12 public record until the night of the hearing.**

13 Q Okay.

14 **A So everything that was filed that night, I  
15 then added to the binder, to the public record.**

16 Q Okay.

17 **A So, if anything had previously been  
18 submitted, I didn't add it then. I didn't add it  
19 myself.**

20 Q Okay. So everything that had been submitted  
21 at the public hearing, you then took those documents  
22 that night away from the public hearing rather than  
23 the court reporter taking them?

24 **A Well, there was a sign-in sheet that I took**

1     **and then everything that was submitted was also given**  
2     **to the board in a small binder. So, then I added that**  
3     **small binder to the public record as well.**

4           Q     And who gave the small binder to the board?

5           A     **I don't know.**

6           Q     Do you know who generated the small binder,  
7     where it came from?

8           A     **No.**

9           Q     Do you know what was in the small binder?

10          A     **There were -- there were maps and there were**  
11     **letters. And then at the public hearing, the**  
12     **Transportation Specialist had a little handout thing**  
13     **and so I included that.**

14          Q     And was the -- the person you're calling the  
15     "Transportation Specialist", was that someone who  
16     spoke -- was he someone I had --

17          A     **Yes.**

18          Q     I questioned under oath at the hearing?

19          A     **Yes.**

20          Q     Okay. And his handout was a series of  
21     pictures and his resume?

22          A     **I -- correct.**

23          Q     So we have maps, letters, the handout from  
24     the Transportation Specialist, and -- who was my --

1 the expert that we presented. And then you said there  
2 was a sign-in sheet?

3 **A A sign-in sheet. And I think there were**  
4 **letters signed from various Fairmont residents or**  
5 **officials, I don't know what it's technically called**  
6 **but they had signed something. I don't know if it was**  
7 **like an objection or -- I don't know what it was.**

8 Q Okay. So there is a document that you  
9 believe to be signed by Fairmont residents?

10 **A Or if they were -- yes.**

11 Q Okay. And was there anything else that you  
12 can recall?

13 **A Not specifically.**

14 Q Are there additional documents that you  
15 believe were in that grouping of what you took back  
16 from the public hearing that you just don't recall?

17 **A Yes.**

18 Q How large was the stack that you took with  
19 you that night to -- you said you hole punched it?

20 **A No. It was -- oh, there was the binder and**  
21 **then there were these letters and then the sign-in**  
22 **sheet and --**

23 Q The other things you discussed. So what did  
24 you do with them after the hearing?

1           **A     I gave -- I put them in Rob's box.**

2           Q     Okay. You put them in Rob's box.

3                     And about how thick was the total stack that  
4 you put into Rob's box, excluding the binder?

5           **A     About a half of an inch.**

6           Q     Okay. And after they were in Rob's box,  
7 were you asked to do anything else with those  
8 documents?

9           **A     No.**

10          Q     Okay. After they were in Rob's box, did you  
11 then see them again in the public record?

12          **A     Yes.**

13          Q     At what point did you see them again in the  
14 public record?

15          **A     I believe that you asked to review them or  
16 someone did and then I got with Rob and asked him to  
17 give me everything from the hearing to add to the  
18 public record.**

19          Q     Okay. So would that have been in response  
20 to the series of e-mails, and some of them are  
21 included in the documents that we just looked at in  
22 Exhibit 13, where I had asked you for documents that  
23 were presented at the public hearing?

24          **A     Yes.**

1 Q And your response to me with respect to  
2 those documents that was everything that you had?

3 **A Yes.**

4 Q Okay. So in that request, for example, I  
5 asked for the Certificate of Publication and that was  
6 the hearing publication that Mr. Siemsen had  
7 referenced as presenting to the -- in the public  
8 hearing on the 29th of May. But I did not get that  
9 from you. Would the reason I did not get that from  
10 you would be -- do you recall giving that to me?

11 **A No.**

12 Q Okay. Do you recall having that document or  
13 that group of documents?

14 **A No. We did post something but I don't know  
15 if it was myself or Rob and we had put it on the  
16 website.**

17 Q Okay. So there was something that you put  
18 on the website concerning what?

19 **A The hearing --**

20 Q Oh, the public hearing.

21 **A -- the date and the time, yes.**

22 Q So the four binders that were the Caseyville  
23 Transfer Station, LLC site location application, those  
24 original four binders, where were they, to your



1 knowledge, maintained by the Clerk's office or the  
2 Clerk?

3 **A They were in here, in the conference room.**

4 Q They were in the conference room. And what  
5 about the other documents that people had, you know,  
6 submitted to be part of the public record and filed to  
7 be part of the public record?

8 **A I don't know.**

9 Q Okay. Do you know -- Did you make a copy of  
10 those four binders that were the original, you know,  
11 the Caseyville site location application for all the  
12 board members?

13 **A No.**

14 Q Do you know of anyone making a copy for  
15 that?

16 **A For the board members?**

17 Q For the board members?

18 **A I'm sorry. No.**

19 Q That's okay. In fact, when my colleagues  
20 came in to ask you for a copy of the siting  
21 application we were asked to bring in an outside copy  
22 service to make that copy; is that accurate?

23 **A Yes.**

24 Q And that was just because it was large --

1 there was a large amount of documents there with the  
2 four binders?

3 **A Yes.**

4 Q Mr. Siemsen testified yesterday that on  
5 either May 28th or 29th prior to the public hearing,  
6 he also came to the window where you were sitting and  
7 believes he spoke with you to ask to see the public  
8 record. Do you recall that exchange?

9 **A Yes.**

10 Q Okay. In response that you opened the door  
11 and you let him into the conference room to view the  
12 public record; is that accurate?

13 **A Yes.**

14 Q And Mr. Siemsen also testified -- and I'm  
15 going to hand you what we've marked in other --  
16 earlier as Exhibit No. 12.

17 Can you take a look at Exhibit No. 12.  
18 Mr. Siemsen also testified that when he came in to  
19 look at the public record that this is one of the  
20 things he was -- that was available to him to review.  
21 Do you agree with that statement?

22 **A Yes.**

23 Q And was this -- to your recollection, was  
24 this the top page of the stack of binder clipped

1 documents that I viewed, that you showed me through  
2 the Clerk's window on the 28th?

3 **A I don't know.**

4 Q Okay. To your recollection, did you ever  
5 produce this series of e-mail documents, Exhibit  
6 No. 12, to me?

7 **A I don't know.**

8 Q Okay. Do you recall then in the e-mails you  
9 reviewed -- that we just looked at in Exhibit No. 13,  
10 I asked several times for e-mails that I saw through  
11 the window?

12 **A Yes.**

13 Q Okay. And do you -- but it's a fair  
14 statement to say that you don't recall whether you  
15 sent that to me?

16 **A No.**

17 Q It's not a fair statement?

18 **A Yes, it is a fair statement.**

19 Q Okay. Do you have any documentation that  
20 shows that this is transmitted to me or was made  
21 available for me to come to view?

22 **A I don't know.**

23 Q And if I told you that I never received  
24 these documents until discovery when they were turned

1 over in this appeal, would you have any reason to  
2 dispute that?

3 MR. MANION: Objection, calls for her to  
4 speculate.

5 Q (By Ms. Pohlenz) You can answer it.

6 THE WITNESS: Am I supposed to answer that?

7 MR. MANION: You can answer it if you know.

8 **A Can you repeat the question?**

9 Q (By Ms. Pohlenz) Do you have any reason to  
10 dispute a statement that either myself or my  
11 colleagues never received this document, Exhibit No.  
12 12, in response to several requests that we made from  
13 the Clerk's office until it was produced by the  
14 Village in response to discovery in this appeal?

15 **A I don't know.**

16 Q Okay. So you have no reason?

17 MS. LIVINGSTON: She said she didn't know.

18 MR. MANION: Objection, asked and answered.  
19 She doesn't know.

20 MS. LIVINGSTON: You are already asking her  
21 to speculate as to what other people may or may not  
22 have done.

23 MS. POHLENZ: I didn't ask her that, I asked  
24 her for her knowledge.

1           Q    (By Ms. Pohlenz) Do you know with certainty  
2   as you sit here today whether when you left the  
3   hearing on May 29th you had all of the documents that  
4   were -- that people submitted to the public record  
5   that night?

6           **A    Can you repeat the question?**

7           Q    Absolutely. Do you know with certainty as  
8   you sit here today whether you had all of the  
9   documents from the May 29th, 2014 siting hearing that  
10  people had submitted to the public record?

11          **A    No, I do not know that with certainty.**

12                   MS. POHLENZ: Don.

13

14                   MR. MORAN: Yes. Good morning or good  
15  afternoon.

16   [EXAMINATION]

17                   BY MR. MORAN:

18           Q    Ms. McReynolds, my name is Don Moran. I  
19  represent the Village of Fairmont City. You said you  
20  were the only person who had the date stamp that would  
21  be applied to any documents that were submitted or  
22  filed to the Village of Caseyville.

23           **A    Yes.**

24           Q    And are you the only person who would apply

1 that date stamp on any materials or documents that  
2 came into the Village of Caseyville?

3 **A No, no. It's in my top drawer. So if I'm**  
4 **not here and Keri may find it necessary -- we would**  
5 **normally date stamp like legal things or summons or**  
6 **important things like that. So, she would have access**  
7 **to the date stamp.**

8 Q Would she be the only other person who would  
9 have access to the date stamp?

10 **A Yes.**

11 Q And would she be the only other person who  
12 would apply a date stamp on any documents that were  
13 submitted or filed with the Village of Caseyville?

14 **A Yes.**

15 Q Was it the regular and ordinary business  
16 practice of the Village of Caseyville to date stamp  
17 any documents that were filed with it?

18 **A As in multiple documents?**

19 Q No. Was it just simply the regular practice  
20 of the Village of Caseyville to ensure that any  
21 documents that were received by it, to be filed by  
22 persons for whatever purpose, that those documents be  
23 date stamped?

24 **A Yes.**

1           Q     And it was your understanding, it's been  
2 your experience in your position with the Village of  
3 Caseyville, that it has been the regular practice of  
4 Caseyville to date stamp any such documents?

5           **A     Yes.**

6           MR. MORAN:   What number are we up to?  
7 Exhibit 14.

8                     (Exhibit 14 was marked for  
9 identification by the court reporter.)

10           MS. LIVINGSTON:   Before you continue with  
11 your questions, Don -- I don't mind if this is on the  
12 record. Jennifer, are you considering the rest of the  
13 unnumbered pages to still be part of that exhibit?

14           MS. POHLENZ:   No. We can consider Exhibit  
15 No. 13 as being pages 1 through 32.

16           MS. LIVINGSTON:   All right. So the rest of  
17 these are not going to be part of that exhibit any  
18 more?

19           MS. POHLENZ:   Correct.

20           MS. LIVINGSTON:   Okay. I just wanted to be  
21 sure before I marked my stuff.

22           MR. MORAN:   That's the Exhibit I'm going to  
23 show her, the one that you have.

24           MR. MANION:   Okay. Is it all these

1 attachments that are referenced on the cover?

2 MR. MORAN: Yes, it's a group exhibit in  
3 effect.

4 MR. MANION: Okay.

5 Q (By Mr. Moran) Ms. McReynolds, I'll show you  
6 what's been marked as Exhibit 14. I'll ask you if  
7 you've ever seen this document before?

8 **A Yes.**

9 Q Can you identify it for us?

10 **A It appears -- a memo regarding the**  
11 **Caseyville Transfer Station siting approval.**

12 Q Was this document filed with the Village of  
13 Caseyville?

14 **A Yes.**

15 Q There appears to be a date stamp on the  
16 first page of that exhibit, do you see that?

17 **A Yes.**

18 Q Did you apply that date stamp?

19 **A I don't know.**

20 Q You don't recall having applied this date  
21 stamp to this document on or about the date of  
22 July 9th, 2014?

23 **A I remember this document coming in along**  
24 **with a large box via FedEx. I just don't remember if**



1     **I opened the envelope and stamped it received or if**  
2     **Rob opened it and brought it to me to be received.**  
3     **So, repeat your question.**

4           Q     You said you remember a large box coming  
5     with this submission?

6           **A     Yes.**

7           Q     Could you describe the box for us? Was it  
8     like a banker's box similar to the one on the table  
9     behind Penni?

10          **A     No. It was bigger. It had copies of the**  
11     **binders in it as well.**

12          Q     And it was received the same day that  
13     Exhibit 14 was received?

14          **A     I believe so.**

15          Q     Okay. Did you review any of the contents of  
16     that box?

17          **A     No. I put the box in front of Rob's door.**

18          Q     Aside from the box and Exhibit 14, were  
19     there any other filings that were submitted or that  
20     arrived at the Village of Caseyville that day,  
21     July 9th?

22          **A     I don't know if it was that day or the next**  
23     **day but a FedEx letter, pack letter type envelope**  
24     **came.**

1 Q From whom did the box come?

2 A **It came from Mr. Siemsen.**

3 Q And did Exhibit 14 come from Mr. Siemsen as  
4 well?

5 A **Yes.**

6 Q If you did not apply the date stamp on  
7 Exhibit 14, would it have been Keri who applied the  
8 date stamp?

9 A **Yes.**

10 Q And do you have any information or reason to  
11 believe that this Exhibit 14 was not received by the  
12 Village of Caseyville on July 9th, 2014?

13 A **No.**

14 Q Let me show you what I have marked as  
15 Exhibit 15.

16 (Exhibit 15 was marked for  
17 identification by the court reporter.)

18 Q (By Mr. Moran) Can you identify Exhibit 15  
19 for us?

20 A **Objection to false information presented by  
21 opponent regarding a thousand-foot setback.**

22 Q Have you ever seen Exhibit 15 before?

23 A **I don't know.**

24 Q Did you apply the date stamp that appears on

1 the first page of Exhibit 15?

2 **A I don't know.**

3 Q If you did not apply the date stamp, would  
4 Keri have been the one who applied the date stamp?

5 **A Yes.**

6 Q Do you recall whether there were any other  
7 materials or documents that arrived with Exhibit 15 to  
8 the Village?

9 **A I don't know.**

10 Q Do you have any information to conclude or  
11 believe that Exhibit 15 was filed with the Village on  
12 a date other than August 6th, 2014?

13 **A No.**

14 Q Was it ever the practice of the Village of  
15 Caseyville to apply a date stamp on a document that  
16 was received after business hours on a given day? In  
17 other words, if a document came in, perhaps, after  
18 4:30 on a given day and there was someone who had  
19 received the document, could they -- or was it allowed  
20 that the date stamp be applied after the close of  
21 business on that given day?

22 **A Yes.**

23 Q You're aware that the meeting of the Village  
24 of Caseyville trustees to decide this siting

1 application occurred on August 6th of 2014; correct --

2 **A Yes.**

3 Q -- the same date that appears on Exhibit 15?

4 **A Yes.**

5 Q Thank you.

6 **A You're welcome.**

7 **[EXAMINATION]**

8 BY MS. LIVINGSTON:

9 Q Was the siting application received by the  
10 Village?

11 **A Yes.**

12 Q And do you have any basis for disputing that  
13 the application was filed on February 10th of this  
14 year?

15 **A Can you repeat that, please?**

16 Q Do you have any basis to dispute that the  
17 application was filed on February 10th of this year?

18 **A No.**

19 Q Okay. And what kinds of things get filed at  
20 Village Hall that you would put date stamps on?

21 **A Everything.**

22 Q Okay. So like building permits, zoning  
23 changes, things like that?

24 **A Mail, anything that we receive should be**

1     **date stamped.**

2           Q     All right. I noticed here that it does seem  
3     to have a location that says "by whom"?

4           **A     Yes.**

5           Q     Do you normally initial when it's by you or  
6     do you just date stamp it?

7           **A     Half and half.**

8           Q     Okay. So it could be that your initials  
9     might not appear on something that you actually did  
10    date stamp?

11          **A     Correct.**

12          Q     Okay. I noticed in the e-mails that  
13    Jennifer went over with you, that one of the e-mails  
14    from her indicates that her colleagues had been there  
15    the previous Wednesday to go over the record. Do you  
16    remember that?

17          **A     Yes.**

18          Q     Can you tell us approximately how many  
19    people were here, how long they were here, what that  
20    looked like?

21          **A     There were two individuals here multiple  
22    times.**

23          Q     And do you remember who the individuals  
24    were?

1           **A     I talked to her all the time.**

2           Q     Susan?

3           **A     Susan Piassa, yes.**

4           Q     When you say you talk to her all the time,  
5 do you talk to her about anything not related to  
6 Caseyville Transfer Station?

7           **A     Yes.**

8           Q     And what kinds of things do you talk to her  
9 about?

10          **A     I think they wanted to come in and be**  
11 **Caseyville's only trash hauler. So we had talked**  
12 **about that.**

13          Q     All right. Do you recall if the discussions  
14 about -- well, let's start here.

15                 Do you know who Susan Piassa is with? Let  
16 me ask it this way: Do you know if she is with Allied  
17 Waste?

18                 MS. POHLENZ: Objection. Who -- she's  
19 leading the witness. So either you know or you don't  
20 know.

21                 MS. LIVINGSTON: It's not my witness.

22                 MR. MANION: It's a discovery witness.

23                 MS. LIVINGSTON: I can lead anybody.

24                 MR. MANION: In discovery depositions

1 leading questions are permissible. So, you can answer  
2 the question.

3 MS. LIVINGSTON: You can answer the  
4 question.

5 **A She works for a waste company but I do not**  
6 **know which one.**

7 Q (By Ms. Livingston) All right. And to the  
8 best of your knowledge, when did you meet Susan  
9 Piassa?

10 **A It was a few months before the public**  
11 **hearing.**

12 Q It would have been in 2014?

13 **A I don't know.**

14 Q Well, the public hearing was on May 29th;  
15 right?

16 **A 2014, yes.**

17 Q Right. So is it possible you met her a few  
18 months before the public hearing?

19 **A No.**

20 Q Okay. So that would be this year?

21 **A Yes.**

22 Q Okay. And was she with anyone when you  
23 first met her?

24 **A No.**

1 Q Okay. Did she come in person?

2 A Yes.

3 Q And what kind of conversation did she have  
4 with you?

5 A It was at a board meeting.

6 Q Okay.

7 A So it wasn't specifically with me.

8 Q Do you know if it was at a board meeting  
9 after the application had been filed in this matter?

10 A Before.

11 Q It was before that?

12 A Yes.

13 Q All right. And did she speak at the board  
14 meeting?

15 A Yes.

16 Q And what did she say?

17 A Something about wanting to be the only trash  
18 hauler for the Village.

19 Q All right. Did she give any indication on  
20 cost?

21 A I don't recall.

22 Q All right. Did she ask that any action be  
23 taken?

24 A I don't recall.



1           Q     All right.  When's the next time you saw  
2 her?

3           A     **She was at every board meeting for probably**  
4 **three or four months.**

5           Q     Including the board meetings where the  
6 Caseyville Transfer Station was discussed?

7           A     **Yes.**

8           Q     All right.  Was she also present at the  
9 May 29th public hearing?

10          A     **Yes.**

11          Q     Did she speak at that hearing?

12          A     **No.**

13          Q     All right.  So, what other conversations  
14 have you had with her that you recall, what she might  
15 have said to you, what you might have said to her?

16          A     **It was just general conversation.**

17          Q     Hey, how are you doing?

18          A     **Yeah.**

19          Q     Okay.  So, for example, she wouldn't have  
20 indicated to you any matters that she wished the  
21 Village to make a decision on or given you her  
22 opinions about anything?

23          A     **No.**

24          Q     Okay.  And so, you said you talked to her a

1 lot of times. Were some of these times that she  
2 actually came into your office?

3 **A Yes.**

4 Q Okay. And how many times would you say  
5 Susan Piassa came into the Clerk's office after the  
6 filing of the application for Caseyville Transfer  
7 Station?

8 **A Probably three or four.**

9 Q All right. And of those three or four was  
10 she ever with someone else?

11 **A Yes.**

12 Q All right. Most of the time was she?

13 **A Yes.**

14 Q Do you know who that person was?

15 **A No.**

16 Q Do you know if that person was a lawyer?

17 **A I don't know.**

18 Q Does the name Ken Blyers?

19 **A Yes.**

20 Q Okay. That's familiar to you?

21 **A Yes.**

22 Q Could that have been the person?

23 **A Maybe.**

24 Q All right. Do you know what he looks like?

1           **A     Yes.**

2           Q     Okay. Was he ever present with her?

3           **A     Yes.**

4           Q     Did he ever tell you he was a lawyer?

5           **A     No.**

6           Q     All right. And so, do you remember the  
7 specific order of these times that you encountered  
8 them or do they all go together?

9           **A     Together.**

10          Q     All right. So what kinds of things do you  
11 think occurred? Like, for example, did they come in  
12 and look at documents?

13          **A     Yes, they came in and inspected the record.**  
14 **They had brought in a printing company and copied the**  
15 **records.**

16          Q     Do you know the timing of any of that?

17          **A     No.**

18          Q     Well, for example, would you remember if  
19 they printed the record before the public hearing?

20          **A     I don't know.**

21          Q     All right. But it's fair to say that Susan  
22 Piassa and Mr. Blyers had inspected the public record  
23 on several occasions?

24          **A     Yes.**

1 Q Could it have been more than four occasions?

2 A Well, she -- she and he came in to make sure  
3 that we had the hearing posted on the board and they  
4 had requested that we put it on the website.

5 Q And did you?

6 A Yes. And then I think they inspected the  
7 record probably three or four times. I think I  
8 printed her some e-mails when she came in one time as  
9 well.

10 Q Was Ms. Pohlenz ever with them when they  
11 came?

12 A I don't think so.

13 Q All right. Did she also come separately to  
14 inspect the record?

15 A No. She came just the window, when she came  
16 to the window. She and I communicated mostly through  
17 e-mail.

18 Q All right. Did you feel like from her  
19 e-mails that you were trying to cooperate and give her  
20 whatever you had?

21 A Yes.

22 Q In any way did you -- did anyone ever tell  
23 you not to give anybody anything?

24 A No.

1 Q All right. And so, in no way were you  
2 trying to not give people information that they  
3 wanted?

4 A No. I think there were delays because if  
5 she would send me something then I would send it to  
6 Rob and then Rob would get it to me. But, no, we were  
7 very cooperative.

8 Q All right. And is it fair to say that you  
9 were very cooperative before the public hearing?

10 A Yes.

11 Q You wanted people to have access to  
12 information before the public hearing?

13 A Yes.

14 Q And from the e-mails it appears you were  
15 cooperative after the public hearing as well; is that  
16 accurate?

17 A Thank you, yes.

18 Q Okay. And you were at the public hearing;  
19 right?

20 A Yes.

21 Q About how long did it last?

22 A Probably three hours.

23 Q Did you ever hear anyone from the Village at  
24 that public hearing announce any deadline for public

1 comments?

2 **A I don't know.**

3 Q If they did, it would be in the transcript?

4 **A Correct.**

5 Q Okay. Do you ever remember anything about a  
6 deadline for public comments?

7 **A No.**

8 Q So, for example, no one ever indicated to  
9 you, hey, don't accept public comments after a certain  
10 date?

11 **A No.**

12 Q Did anyone else come in to look at the  
13 public record that you recall from the public?

14 **A Yes.**

15 Q Do you recall who those persons were?

16 **A No.**

17 Q All right. But the public definitely had  
18 access to the record and they did access the record?

19 **A Yes.**

20 Q Now, there seems to be some issue about not  
21 having a copy of a Certificate of Publication. That  
22 seems to be what these e-mails were about. Did you  
23 get a copy of the Certificate of Publication which,  
24 you know, I guess you could go to the newspaper and

1 get it, too. But did you ever get a copy of that?

2 **A No.**

3 Q All right. And so that's why you didn't  
4 provide it to her?

5 **A Yes.**

6 Q You just couldn't find a copy of it?

7 **A I didn't know what she meant.**

8 Q Oh, you didn't know what she meant?

9 **A No.**

10 Q Okay. So, it's possible that there's a  
11 Certificate of Publication some place in this record  
12 and you just didn't know what it was or couldn't find  
13 it?

14 **A Yes.**

15 Q Okay. But you weren't trying to not be  
16 cooperative with her?

17 **A No.**

18 Q Err go the friendliness of your e-mails?

19 **A Yes.**

20 MR. MANION: I think I just want to clear up  
21 one or two things.

22 [EXAMINATION]

23 BY MR. MANION:

24 Q You and Keri both take sick days or vacation

1 days from time to time; correct?

2 **A Yes.**

3 Q And if one of you wasn't present in the  
4 office up front due to a day off, would that office be  
5 un-staffed for a period of, for example, the one  
6 person there that day had to go to lunch or something?

7 **A Yes.**

8 Q Okay. And in that situation would it be  
9 possible that someone would come in to file something  
10 and would go across the hall to -- would that be the  
11 Water Department?

12 **A Yes.**

13 Q Okay. And has that happened in the past?

14 **A Yes.**

15 Q Okay. So, it would be possible that they  
16 could receive a document if you were out to lunch and  
17 Keri was on vacation, for example?

18 **A Yes. And they would put it in Rob's box.**

19 Q Okay. So, that wouldn't come through via  
20 Keri or you in that case?

21 **A Correct, yes.**

22 Q Okay. You were also asked whether you were  
23 certain that you received every document at the public  
24 hearing. To the best of your knowledge, did you



1 receive every document at the public hearing?

2 **A Yes.**

3 Q Okay. So, you're not aware of something  
4 that you didn't take from that hearing and put in  
5 Rob's box; correct?

6 **A No. No. I grabbed everything that I -- I  
7 seen.**

8 Q Okay. I don't have any other questions.

9 [EXAMINATION]

10 BY MS. POHLENZ:

11 Q You had mentioned that -- do you attend  
12 every board meeting?

13 **A No.**

14 Q Okay. You mentioned that Susan Piassa had  
15 attended every board meeting for a period of three or  
16 four months. Were those board meetings that you had  
17 also attended?

18 **A Yes.**

19 Q Okay. And you had referenced that -- strike  
20 that.

21 Do you have any reason to believe if Rob  
22 Watt responds to a request that he doesn't have it  
23 that that's not an accurate response?

24 **A Ask that question again.**

1           Q     Sure.  If Rob Watt responded to one of the  
2     requests I made in the e-mails, for example, that  
3     Mr. Siemsen had a record, do you have any reason to  
4     doubt what he says?

5           **A     No.**

6           Q     And with respect to my request of the  
7     Certificate of Publication in the e-mails, you had  
8     testified right now that you don't know what I meant  
9     by that?

10          **A     Correct.**

11          Q     Did you ever tell me I don't know what  
12     you're looking for?

13          **A     No.**

14          Q     Was it -- was that because when you got my  
15     request you didn't actually go through and try to find  
16     things you were giving it to Rob to then respond to  
17     me?

18          **A     Yes.**

19          Q     So it really didn't matter what I asked for  
20     because ultimately Rob was the one who was going to  
21     review it and then tell you what you would provide to  
22     me?

23          **A     Yes.**

24          Q     That's all I have.



1           Q     So, initially what you would do is if  
2     someone came here to review the siting application you  
3     would first ask Rob Watt whether it was okay to let  
4     that person see the application?

5           **A     Yes.**

6           Q     And that continued for about a few weeks, a  
7     couple months?

8           **A     A few weeks. A few weeks. Because I think**  
9     **at first I was unsure if it needed to be Freedom of**  
10    **Information or if it was public record and then once**  
11    **that was established.**

12          Q     When that application was filed, where was  
13    it kept?

14          **A     It was kept in here.**

15          Q     Was it kept on this table?

16          **A     Yes.**

17          Q     And I think we established that it was -- it  
18    appeared to be four volumes or four binders of  
19    material?

20          **A     Correct.**

21          Q     So, in the first few weeks after that  
22    application was filed and it was being kept in this  
23    room, if any person came to the front desk and asked  
24    to review the application and if you were the person

1 who received that request, you would go to Rob Watt  
2 and say is it okay for me to let this person look at  
3 the application; correct?

4 **A I didn't ask permission after -- I don't**  
5 **remember who came in originally and asked to look at**  
6 **it and then I think Susan and that gentleman came in**  
7 **and then they copied it and then after that I did not**  
8 **ask permission.**

9 Q Okay. You said that was after about four  
10 weeks after the application was filed?

11 **A I don't know.**

12 Q Well, it was after a number of weeks after  
13 the application was filed; correct?

14 MS. LIVINGSTON: Well, she said a few at  
15 least four times now. I don't think a few is four.

16 Q (By Mr. Moran) I guess, I'm asking what is  
17 "few"? What did you mean when you said "few"? Did  
18 you mean two weeks? Three weeks? Did you mean four  
19 weeks?

20 MR. MANION: If you can remember. I don't  
21 want you to guess.

22 **A I don't remember. I don't remember.**

23 Q (By Mr. Moran) So, your answer is it was a  
24 few weeks after it was filed that you stopped asking

1 Rob Watt for permission to let someone look at the  
2 application?

3 **A Yes.**

4 Q Okay. Do you recall whether an individual,  
5 male, came to Caseyville a couple of days after the  
6 application was filed and asked to look at the  
7 application.

8 **A Yes.**

9 Q Did that male ask you or was it Keri he  
10 approached or do you recall?

11 **A I do not know his initial point of contact.**

12 Q Okay.

13 **A But I was here -- if we're talking about the**  
14 **same thing, I was here that day and Rob was also**  
15 **actually present that day.**

16 Q Can you describe anything about this male  
17 who came and asked for the application?

18 **A No. I just know that he was by himself and**  
19 **he was the only person that had ever come by himself**  
20 **to look at the record.**

21 Q And he asked to look at the application?

22 **A Yes.**

23 Q You then went to Rob Watt and asked Rob if  
24 he could look at it?

1           **A     Yes.**

2           Q     And did Rob then respond to you and indicate  
3 whether the person could or couldn't look at the  
4 application?

5           **A     Yes.**

6           Q     What did Rob say?

7           **A     I think he said that he could look at it and  
8 the guy came in here and looked at it right away.**

9           Q     Now, when you say "you think", you're just  
10 speculating?

11          **A     I remember thinking at that time I didn't  
12 even know what the guy was asking for. And then that  
13 was the response where I -- that was the situation  
14 where I didn't know if the guy needed a Freedom of  
15 Information or if it was -- that was the situation I  
16 was talking about, so...**

17          Q     Did you tell this person that the  
18 application could not be reviewed because it was not  
19 time to be able to review it?

20          **A     I don't know.**

21          Q     You didn't tell that to the person. If that  
22 had been told to the person, it would have been Rob  
23 Watt?

24          **A     Yes. Yes. When that person came into City**

1 **Hall that day I directed them to Rob Watt.**

2 Q Okay. And did you have any other discussion  
3 with this individual at that time?

4 **A No.**

5 Q Okay. Do you recall any other persons  
6 coming to the Village and asking you for the  
7 opportunity to review the siting application or the  
8 four volumes that were in this room?

9 **A Anyone -- ask me that again, please.**

10 Q Do you recall whether any other person came  
11 to the Village and asked you for the opportunity to  
12 review the siting application which was maintained in  
13 this room?

14 **A Yes.**

15 Q How long after the male that we talked about  
16 before did that next person come to ask you to review,  
17 approximately, a couple weeks a couple months, a  
18 couple days?

19 **A I believe a couple days. I believe it was  
20 Susan was the next person to look at the record.**

21 Q Did Susan come by herself that next time or  
22 was she with someone?

23 **A She was with that gentleman.**

24 Q They asked you for the opportunity to review



1 the application; correct?

2 **A Yes.**

3 Q Was this the point at which you could make a  
4 determination to simply let them review it or did you  
5 have to check with Mr. Watt?

6 **A I checked with Rob first because they**  
7 **actually wanted to get a copy of the binders but we**  
8 **didn't have that capability here and then that's when**  
9 **he said that anyone who wanted copies was welcome to**  
10 **come in and bring a copy service with them to copy the**  
11 **record.**

12 Q Okay. Do you recall any other persons  
13 coming to ask to look at the siting application other  
14 than the male that we've identified and with Susan and  
15 the gentleman that copied with her?

16 **A There was someone else.**

17 Q When did that someone else come and ask to  
18 see the application?

19 **A It was after Susan had made a copy of**  
20 **everything.**

21 Q Was this a male or female?

22 **A I don't know. I don't know if -- it was a**  
23 **male, but I'm not sure if he was with the printing**  
24 **company or if he was the interested individual, so...**

1 Q Did you talk to this individual when he  
2 came?

3 A Yes.

4 Q Do you recall if that individual then was  
5 brought to this room and given the opportunity to  
6 review the application?

7 A Yes.

8 Q How long was that after Susan and the  
9 gentleman came to look at the application --

10 A I'm not sure.

11 Q -- to review it?

12 Going back to the first male that we talked  
13 about who came in and asked to see the application and  
14 that you referred him to Rob Watt, did he ever come  
15 back?

16 A No.

17 Q He didn't come back --

18 A No.

19 Q -- nine days later to look at the  
20 application?

21 A Not that I know of.

22 Q If he did come back, he would have talked to  
23 either Keri or Rob Watt?

24 A Unless maybe he came the first time and I'm

1     **thinking of the second time when Rob was here.**

2     **Because if we're referring to the same person when Rob**  
3     **was here and I was here that person was allowed in**  
4     **here to look at what we had.**

5           Q     Did you make any telephone call to this  
6     individual to indicate to him that he would be able to  
7     come in and look at the application?

8           **A     I don't know.**

9           Q     Did Rob Watt make such a call and leave such  
10    a message?

11          **A     I don't know.**

12          Q     Okay. Thank you.

13          **A     You're welcome.**

14                                   **[ EXAMINATION ]**

15          BY MS. LIVINGSTON:

16          Q     To the best of your knowledge, was anyone  
17    ever denied access to the record?

18          **A     No.**

19          Q     When you called Rob at the beginning in the  
20    first couple of weeks to get permission, did he always  
21    give permission?

22          **A     Yes.**

23          Q     Do you recall when Susan came to look at the  
24    record was it quite a ways before the public hearing?

1           **A     Yes.  When she came I didn't even know what**  
2           **the waste transfer station was to be honest.**

3           Q     All right.  Would there be any documentation  
4           for us to be able to know what day she came in and  
5           made copies?

6           **A     Possibly.**

7           Q     If there was, what do you think it would be?

8           **A     E-mail.**

9           Q     In the discovery that the City produced, did  
10          you put that information together, the e-mails and  
11          things?

12          **A     I printed them out, yes.**

13          Q     Do you think that e-mails with Susan would  
14          have been in that pile as well?

15          **A     No, they were not.**

16                 MS. LIVINGSTON:  Is that something we could  
17          get?

18                 MR. MANION:  I assume so.  We can search for  
19          those.

20                 THE WITNESS:  Yes.

21                 MS. LIVINGSTON:  Okay.

22          Q     (By Ms. Livingston) And might there have been  
23          other people who sent you e-mails as well to ask you  
24          to look at the record?

1           **A     No.**

2           Q     No, okay.  But -- you would still have  
3 e-mails from Susan when she's asking you to see the  
4 record?

5           **A     I'm not certain that she asked me.**

6           Q     But if she did you would --

7           **A     But her and I had e-mail communication that**  
8 **wasn't related to the transfer station when she had**  
9 **come in and addressed the board.  Now I did e-mail**  
10 **here and asked her the name of the printing company.**  
11 **I didn't include that in the e-mails regarding the**  
12 **transfer station.  But I can look.**

13          Q     Okay.  Did you ever have any discussions or  
14 did you ever have any knowledge that Susan seemed to  
15 also want the Village to pass local siting ordinance?

16          **A     No.**

17          Q     And you never saw a draft local siting  
18 ordinance?

19          **A     Not that I know of.**

20          Q     Okay.  Just wondered.

21                 MR. MANION:  I don't have any other  
22 questions.

23                 MS. POHLENZ:  I just wanted to know if  
24 you're going to produce supplemental information that

1 was requested, you are going to produce it to all of  
2 the parties?

3 MR. MANION: Yes. If there's anything,  
4 we'll produce it to everyone.

5 Any other questions?

6 MR. MORAN: I have no questions.

7 MR. MANION: You have the opportunity to  
8 review the transcript if you want to make sure that  
9 the court reporter took down everything accurately.  
10 If you read a question you couldn't go back and change  
11 your answer substantively, it's just if something was  
12 transcribed improperly or you can waive that right. I  
13 usually just tell people to waive it.

14 MS. LIVINGSTON: Unless you'd like to read  
15 the transcript in the next day.

16 THE WITNESS: No thank you.

17 MR. MANION: She'll waive, thanks.

18 (Whereupon signature was waived, and  
19 the deponent was excused.)

20 (The original exhibits were retained by  
21 counsel. A copy of the exhibits were  
22 attached to the transcript.)

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REPORTER CERTIFICATE

I, Elizabeth A. Goodwin, RPR, MO-CCR,  
IL-CSR, do hereby certify that there came before me at  
Village of Caseyville, 909 South Main Street,  
Caseyville, IL 62232,

LESLIE MCREYNOLDS,

who was by me first duly sworn; that the witness was  
carefully examined, that said examination was reported  
by myself, translated and proofread using  
computer-aided transcription, and the above transcript  
of proceedings is a true and accurate transcript of my  
notes as taken at the time of the examination of this  
witness.

I further certify that I am neither attorney  
nor counsel for nor related nor employed by any of the  
parties to the action in which this examination is  
taken; further, that I am not a relative or employee  
of any attorney or counsel employed by the parties  
hereto or financially interested in this action.

Dated this 23rd day of OCTOBER, 2014.

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ELIZABETH A. GOODWIN, RPR, MO-CCR, IL-CSR

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