

State of Illinois
Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
<http://www.ipcb.state.il.us/>
April 26, 2010

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In The Matter Of:)	
)	
Joseph & Victoria Morrissey)	
)	
Complainant(s),)	
)	
v.)	PCB 09 - 10
)	(For Board use only)
Geoff Pahios and Alpine Automotive, Inc)	
)	
Respondent(s))	

Motion to Exclude

On March 8th, 2010, Respondent's Attorneys took the deposition of Complainants' expert witness. It was and is the expressed belief by/of the Complainants that the circumstances around this deposition were "blatant tactical gamesmanship" by the respondents to stall the proceedings. [<http://www.ipcb.state.il.us/documents/dsweb/Get/Document-67822>] As a result, the hearing was moved from Feb 2010 to May 2010. As of April 26, 2010, the complainant's expert witness Greg Zak has not received a copy of the transcript for review and signature. On April 6th, 2010 Pat Zak contacted Samantha Herr of Midwest Litigation to remind her that Mr. Zak requested right of signature. Since Mr. Zak no longer has 30 days to review the transcript before the May 12-13th hearing, the complainants request that any transcript of the deposition of Greg Zak be excluded from the hearing.

Respectfully submitted,
Joseph & Victoria Morrissey

By: 
Joseph Morrissey