

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **RECEIVED**
CLERK'S OFFICE

THE CITY OF KANKAKEE, an Illinois)
Municipal Corporation)

Petitioner)

v.)

COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

Respondent)

MAY 01 2003

STATE OF ILLINOIS
Pollution Control Board

No. PCB 03-125

(Third-Party Pollution Control Facility
Siting Appeal)

MERLIN KARLOCK,)

Petitioner)

v.)

COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

Respondent)

No. PCB 03-133

(Third-Party Pollution Control Facility
Siting Appeal)

MICHAEL WATSON,)

Petitioner)

v.)

COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

Respondent)

No. PCB 03-134

(Third-Party Pollution Control Facility
Siting Appeal)

KEITH RUNYON,)

Petitioner)

v.)

COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

Respondent)

No. PCB 03-135

(Third-Party Pollution Control Facility
Siting Appeal)

WASTE MANAGEMENT OF ILLINOIS)	
INC.,)	
)	
Petitioner)	
)	
v.)	No. PCB 03-144
)	(Pollution Control Facility
COUNTY OF KANKAKEE,)	Siting Appeal Consolidated)
)	
Respondent)	

NOTICE OF FILING

To: See Attached Service List

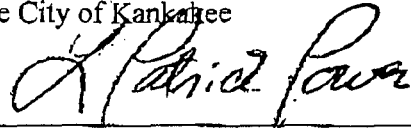
PLEASE TAKE NOTICE that on May 1, 2003 there caused to be filed via U.S. Mail with the Illinois Pollution Control Board an original and 9 copies of the following document, a copy of which is attached hereto:

City of Kankakee's Notice of Deposition; Request to Produce; and List of Witnesses

Respectfully submitted,

The City of Kankakee

By:



 Attorney for City of Kankakee

Prepared by:
 L. Patrick Power #2244357
 Corporate Counsel
 956 North Fifth Ave.
 Kankakee, IL 60901
 (815) 937-6937

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE CITY OF KANKAKEE, an Illinois
Municipal Corporation)

Petitioner)

v.)

No. PCB 03-125

COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

Respondent)

(Third-Party Pollution Control Facility
Siting Appeal)

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Petitioner)

v.)

No. PCB 03-133

COUNTY OF KANKAKEE, a body politic and)
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And WASTE MANAGEMENT OF ILLINOIS,)
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And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

Respondent)

(Third-Party Pollution Control Facility
Siting Appeal)

WASTE MANAGEMENT OF ILLINOIS
INC.,

Petitioner

v.

COUNTY OF KANKAKEE,

Respondent

No. PCB 03-144
(Pollution Control Facility
Siting Appeal Consolidated)

NOTICE OF DEPOSITION

To: Hindshaw and Culbertson
100 Park Ave.
P. O. Box 1389
Rockford, IL 61105-1389

PLEASE TAKE NOTICE, pursuant to the provisions of the Civil Practice Act and the Rules of the Supreme Court, that the following listed party litigant is hereby **REQUESTED AND REQUIRED TO APPEAR AND ATTEND DISCOVERY DEPOSITION** scheduled at the following date, time and location:

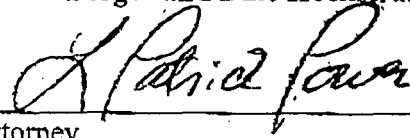
- DEPONENT: ****Doug Graves, May 2, 2003 at 1:00 p.m.**
- **Mike VanMill, May 2, 2003 at 2:00 p.m.**
- **Karl Kruse, May 2, 2003 at 3:00 p.m.**
- **Chris Burger (via telephone) May 2, 2003 at 4:00 p.m.**

at Marilynn Mrozynski, CSR, One Dearborn Square, Suite 510, Kankakee, Illinois, in this cause, pursuant to applicable statutes and rules of court, before a Notary Public on oral interrogatories for use as discovery in this case.

**** YOU ARE FURTHER REQUESTED AND REQUIRED TO PRODUCE ANY AND ALL APPOINTMENT BOOKS, AND RECORDS OF COMMUNICATIONS SUCH AS PHONE CALLS, WHETHER IN WRITING OR EMAIL FORM FROM January 7, 2002 TO February 1, 2003 showing context between Kankakee County Board Members, Mike VanMill, Effraim Gil, Edward Smith, Chuck Helston, Elizabeth Harvey, and Rick Porter and Donald Moran, Lee Addleman, Chris Rubak, Chris Berger and Dale Hoekstra.**

By:

Attorney



Prepared by: L. Patrick Power
Assistant City Attorney
956 N. Fifth Avenue
Kankakee, IL 60901
(815) 937-6937

Kenneth A. Leshen
Assistant City Attorney
One Dearborn Square, Suite 550
Kankakee, IL 60901
(815) 933-3385

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE CITY OF KANKAKEE, an Illinois)
Municipal Corporation)

Petitioner)

v.)

No. PCB 03-125)

COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

(Third-Party Pollution Control Facility)
Siting Appeal)

Respondent)

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Petitioner)

v.)

No. PCB 03-133)

COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

(Third-Party Pollution Control Facility)
Siting Appeal)

Respondent)

MICHAEL WATSON,)

Petitioner)

v.)

No. PCB 03-134)

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Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

(Third-Party Pollution Control Facility)
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KEITH RUNYON,)

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COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
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INC.,)

(Third-Party Pollution Control Facility)
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Respondent)

WASTE MANAGEMENT OF ILLINOIS INC.,)	
)	
Petitioner)	
)	
v.)	No. PCB 03-144
)	(Pollution Control Facility
COUNTY OF KANKAKEE,)	Siting Appeal Consolidated)
)	
Respondent)	

NOTICE TO PRODUCE AT TIME OF HEARING

To: COUNTY OF KANKAKEE
c/o Charles Helsten, Attorney
P. O. Box 1389
Rockford, IL 61105-1389

Now comes City of Kankakee, a Municipal Corporation, (hereinafter "City"), by and through its attorneys, L. Patrick Power and Kenneth A. Leshen, Assistant City Attorneys, and pursuant to Illinois Pollution control Board Rule 101.616 and 101.624, Illinois Supreme Court Rule 237 and Section 2-1102 of the Illinois Code of Civil Procedure, hereby requests The County of Kankakee, Illinois, to produce the following person at the hearing in the instant matter beginning on May 5, 2003 at 1:00 p.m. at City Hall, City Council Chambers, 385 E. Oak Street, Kankakee, Illinois:

Mike Quigley
Juanita Baker
Doug Graves
Effraim Gill
George Washington, Jr.
Chris Berger

Elmer Wilson
Lec Addleman
Leo Whitten
Sharkey Martin
Wes Wiscman
Chris Rubak

Chris Richardsen
Mike VanMill
Dale Hoekstra
Pam Lee
Karl Krusc

Respectfully submitted,

The City of Kankakee

By: 
Attorney for City of Kankakee

Prepared by:
L. Patrick Power #2244357
Corporate Counsel
956 North Fifth Ave.
Kankakee, IL 60901
(815) 937-6937

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE CITY OF KANKAKEE, an Illinois
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Petitioner)

v.)

COUNTY OF KANKAKEE, a body politic and)
Corporate; KANKAKEE COUNTY BOARD;)
And WASTE MANAGEMENT OF ILLINOIS,)
INC.,)

Respondent)

No. PCB 03-125

(Third-Party Pollution Control Facility
Siting Appeal)

MERLIN KARLOCK,)

Petitioner)

v.)

COUNTY OF KANKAKEE, a body politic and)
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And WASTE MANAGEMENT OF ILLINOIS,)
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No. PCB 03-133

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INC.,)	
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Petitioner)	
)	
v.)	No. PCB 03-144
)	(Pollution Control Facility
COUNTY OF KANKAKEE,)	Siting Appeal Consolidated)
)	
Respondent)	

CITY OF KANKAKEE'S LIST OF WITNESSES

Now comes City of Kankakee, a Municipal Corporation, (hereinafter "City"), by and through its attorneys, L. Patrick Power and Kenneth A. Leshen, Assistant City Attorneys, and submits its list of witnesses it intends to call at the hearing in the instant matter beginning on May 5, 2003 at 1:00 pm:

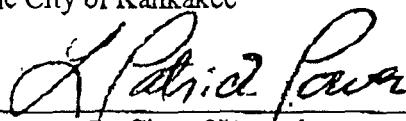
- | | | |
|------------------------|----------------|------------------|
| Mike Quigley | Elmer Wilson | Chris Richardsen |
| Juanita Baker | Lee Addleman | Mike VanMill |
| Doug Graves | Leo Whitten | Dale Hoekstra |
| Effraim Gill | Sharkey Martin | Pam Lee |
| George Washington, Jr. | Wes Wiseman | Karl Kruse |
| Chris Berger | Chris Rubak | |

If Counsel will stipulate to the admission of the depositions taken by any of the above witnesses into evidence then the person of that witness will not be required to appear.

Respectfully submitted,

The City of Kankakee

By:



 Attorney for City of Kankakee

Prepared by:
L. Patrick Power #2244357
Corporate Counsel
956 North Fifth Ave.
Kankakee, IL 60901
(815) 937-6937

AFFIDAVIT OF SERVICE

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on May 1, 2003, a copy of the foregoing City of Kankakee's **Request to Produce; List of Witnesses; and Notice of Deposition** was served upon:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601-3218

Donald J. Moran
Attorney at Law
161 N. Clark, Suite 3100
Chicago, IL 60601
(312) 261-2149
(312) 261-1149 Fax

Charles F. Helsten
Attorney at Law
P.O. Box 1389
Rockford, IL 61105-1389
Fax: (815) 963-9989

Elizabeth Harvey, Esq.
One IBM Plaza, Suite 2900
330 N. Wabash
Chicago, IL 60611
(312) 321-9100
(312) 321-0990 Fax

Kenneth Leshen
One Dearborn Square, Suite 550
Kankakee, IL 60901
(815) 933-3385
(815) 933-3397 Fax

Jennifer J. Sackett Pohlenz,
Attorney at Law
175 W. Jackson Blvd., Suite 1600
Chicago, IL 60604
(312) 540-7540
(312) 540-0578 Fax

George Mueller
Attorney at Law
501 State Street
Ottawa, IL 61350
(815) 261-2149
(815) 433-4913 Fax

Leland Milk
6903 S. Route 45-52
Chebanse, IL 60922

Patricia O'Dell
1242 Arrowhead Dr.
Bourbonnais, IL 60914

Keith Runyon
1165 Plum Creek Dr. #D
Bourbonnais, IL 60914
(815) 937-9838
(815) 937-9164 Fax

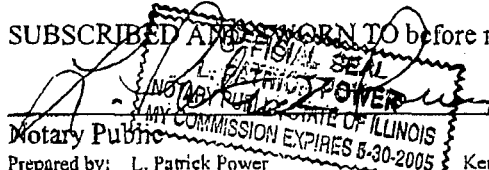
Brad Halloran, Hearing Officer
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601-3218
Fax: (312) 814-3669

By depositing a copy thereof, enclosed in an envelope in the United States Mail at Kankakee, Illinois, proper postage prepaid, before the hour of 6:00 p.m., on 1st day of May 2003, addressed as above.

Kenneth A. Leshen

1st day of May 2003.

SUBSCRIBED AND SWORN TO before me this



Notary Public

Prepared by: L. Patrick Power
Assistant City Attorney
956 N. Fifth Avenue
Kankakee, IL 60901
(815) 937-6937

Kenneth A. Leshen
Assistant City Attorney
One Dearborn Square, Suite 550
Kankakee, IL 60901
(815) 933-3385

Fax

RECEIVED
CLERK'S OFFICE
MAY 01 2003
STATE OF ILLINOIS
Pollution Control Board

Please deliver immediately to: Brad Halloran
of: IPCB
Fax number: 1-312-814-3669
Voice number:

Fax received from: L. Patrick Power
of:
Fax number: 815-937-0056
Voice number: 815-937-6937

Date: 5/1/03
Time: 1:51:05 PM
Number of Pages: 10
Subject:

Message: