

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>JOHNS MANVILLE, a Delaware corporation</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>PCB No. 14-3</b>
	)	<b>(Citizen Suit)</b>
	)	
<b>ILLINOIS DEPARTMENT OF</b>	)	
<b>TRANSPORTATION,</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF FILING AND SERVICE OF SUBPOENAS**

To: ALL PERSONS ON THE ATTACHED CERTIFICATE OF SERVICE

Please take note that on March 25, 2020, Respondent, Illinois Department of Transportation, served Subpoenas on Complainant's counsel for Douglas G. Dorgan, Tatsuji Ebihara, Riah Dunton and David Peterson, who agreed to accept service on behalf of Douglas G. Dorgan, Tatsuji Ebihara, Riah Dunton and David Peterson, pursuant to 35 Ill. Adm. Code 101.622, as evidenced by the attached subpoenas.

Respectfully Submitted,

By: s/ Ellen F. O'Laughlin  
ELLEN F. O'LAUGHLIN  
Assistant Attorney General  
Environmental Bureau  
69 W. Washington, 18<sup>th</sup> Floor  
Chicago, Illinois 60602  
(312) 814-3094  
[eolaughlin@atg.state.il.us](mailto:eolaughlin@atg.state.il.us)  
[mccaccio@atg.state.il.us](mailto:mccaccio@atg.state.il.us)

s/ Evan J. McGinley  
EVAN J. MCGINLEY  
Special Assistant Attorney General  
Illinois Department of Public Health  
Division of Administrative Hearings  
122 South Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
(312) 814-4395  
[evan.mcginley@illinois.gov](mailto:evan.mcginley@illinois.gov)

MATTHEW J. DOUGHERTY  
Assistant Chief Counsel  
Illinois Department of Transportation  
Office of the Chief Counsel, Room 313  
2300 South Dirksen Parkway  
Springfield, Illinois 62764  
(217) 785-7524  
[matthew.dougherty@Illinois.gov](mailto:matthew.dougherty@Illinois.gov)

**CERTIFICATE OF SERVICE**

***Johns Manville v. Illinois Department of Transportation, PCB 14-3 (Citizens)***

I, ELLEN F. O'LAUGHLIN, do hereby certify that, today, March 26, 2020, I caused to be served on the individuals listed below, by electronic mail, a true and correct copy of IDOT's "Notice of Filing and Service of Subpoenas" on each of the parties listed below:

Bradley Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601  
[Brad.Halloran@illinois.gov](mailto:Brad.Halloran@illinois.gov)

Don Brown  
Clerk of the Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601  
[Don.Brown@illinois.gov](mailto:Don.Brown@illinois.gov)

Susan Brice  
Lauren Caisman  
Bryan Cave LLP  
161 North Clark Street, Suite 4300  
Chicago, Illinois 60601  
[susan.brice@bcplaw.com](mailto:susan.brice@bcplaw.com)  
[lauren.caisman@bcplaw.com](mailto:lauren.caisman@bcplaw.com)

s/ Ellen F. O'Laughlin  
Ellen F. O'Laughlin

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**JOHNS MANVILLE, a Delaware corporation** )

**Complainant,** )

**v.** )

**ILLINOIS DEPARTMENT OF** )  
**TRANSPORTATION,** )

**Respondent.** )

**PCB No. 14-3**  
**(Citizen Suit)**

**SUBPOENA**

TO: TATSUJI EBIHARA  
c/o AECOM  
4320 Winfield Road, Suite 300  
Warrenville, IL 60555

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2018)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to give testimony at the hearing the above-captioned matter at 9:00 a.m. on April 22, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 2-025; and at 9:00 a.m. on April 23, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 9-031.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



Don A. Brown, Assistant Clerk  
Pollution Control Board

Date: March 25, 2020

***Johns Manville v. Illinois Department of Transportation, PCB 14-3 (Citizens)***

I, Ellen F. O’Laughlin, do hereby certify that I caused the attached subpoena for Tatsuji Ebihara to be served by electronic mail upon Susan Brice ([Susan.Brice@bclplaw.com](mailto:Susan.Brice@bclplaw.com)) and Lauren Caisman ([Lauren.Caisman@bclplaw.com](mailto:Lauren.Caisman@bclplaw.com)) counsel for the Complainant, on this day 25th of March, 2020.

/s/ Ellen F. O’Laughlin  
Signature

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**JOHNS MANVILLE, a Delaware corporation** )

**Complainant,** )

**v.** )

**ILLINOIS DEPARTMENT OF** )  
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**Respondent.** )

**PCB No. 14-3**  
**(Citizen Suit)**

**SUBPOENA**

TO: DOUGLAS G. DORGAN  
c/o Weaver Consultants Group  
35 E. Wacker Drive, Suite 1250  
Chicago, IL 60611

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2018)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to give testimony at the hearing the above-captioned matter at 9:00 a.m. on April 22, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 2-025; and at 9:00 a.m. on April 23, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 9-031.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



Don A. Brown, Assistant Clerk  
Pollution Control Board

Date: March 25, 2020

***Johns Manville v. Illinois Department of Transportation, PCB 14-3 (Citizens)***

I, Ellen F. O’Laughlin, do hereby certify that I caused the attached subpoena for Douglas G. Dorgan to be served by electronic mail upon Susan Brice ([Susan.Brice@bclplaw.com](mailto:Susan.Brice@bclplaw.com)) and Lauren Caisman ([Lauren.Caisman@bclplaw.com](mailto:Lauren.Caisman@bclplaw.com)) counsel for the Complainant, on this 25<sup>th</sup> day of March, 2020.

/s/ Ellen F. O’Laughlin  
Signature

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**JOHNS MANVILLE, a Delaware corporation** )

**Complainant,** )

**v.** )

**ILLINOIS DEPARTMENT OF** )  
**TRANSPORTATION,** )

**Respondent.** )

**PCB No. 14-3**  
**(Citizen Suit)**

**SUBPOENA**

TO: RIAH DUNTON  
c/o Weaver Consultants Group  
35 E. Wacker Drive, Suite 1250  
Chicago, IL 60601

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2018)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to give testimony at the hearing the above-captioned matter at 9:00 a.m. on April 22, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 2-025; and at 9:00 a.m. on April 23, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



Don A. Brown, Assistant Clerk  
Pollution Control Board

Date: March 25, 2020

***Johns Manville v. Illinois Department of Transportation, PCB 14-3 (Citizens)***

I, Ellen F. O’Laughlin, do hereby swear and affirm that I caused the attached subpoena for Riah Dunton to be served by electronic mail upon Susan Brice ([Susan.Brice@bclplaw.com](mailto:Susan.Brice@bclplaw.com)) and Lauren Caisman ([Lauren.Caisman@bclplaw.com](mailto:Lauren.Caisman@bclplaw.com)) counsel for the Complainant, on this 25<sup>th</sup> day of March, 2020.

/s/ Ellen F. O’Laughlin  
Signature

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**JOHNS MANVILLE, a Delaware corporation** )

**Complainant,** )

**v.** )

**PCB No. 14-3  
(Citizen Suit)**

**ILLINOIS DEPARTMENT OF  
TRANSPORTATION,** )

**Respondent.** )

**SUBPOENA**

TO: DAVID M. PETERSON  
7000 Bridlewood Drive  
Concord Township, Ohio 44077

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2018)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to give testimony at the hearing the above-captioned matter at 9:00 a.m. on April 22, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 2-025; and at 9:00 a.m. on April 23, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 9-031.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:



Don A. Brown, Assistant Clerk  
Pollution Control Board

Date: March 25, 2020

***Johns Manville v. Illinois Department of Transportation, PCB 14-3 (Citizens)***

I, Ellen F. O'Laughlin, do hereby certify that I caused the attached subpoena for David Peterson to be served by electronic mail upon Susan Brice ([Susan.Brice@bclplaw.com](mailto:Susan.Brice@bclplaw.com)) and Lauren Caisman ([Lauren.Caisman@bclplaw.com](mailto:Lauren.Caisman@bclplaw.com)) counsel for the Complainant, on this 25<sup>th</sup> day of March, 2020.

/s/ Ellen F. O'Laughlin  
Signature