

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE OF FILING AND SERVICE OF SUBPOENAS

To: ALL PERSONS ON THE ATTACHED CERTIFICATE OF SERVICE

Please take note that on October 16, 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
CHRISTOPHER GRANT
Assistant Attorney General
Environmental Bureau
69 W. Washington, 18th Floor
Chicago, Illinois 60602
(312) 814-3094
eolaughlin@atg.state.il.us
cgrant@atg.state.il.us
mcacaccio@atg.state.il.us

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

CERTIFICATE OF SERVICE

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

I, ELLEN F. O'LAUGHLIN, do hereby certify that, today, October 19, 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

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

Susan Brice
Kristen L. Gale
NIJMAN FRANZETTI LLP
10 South LaSalle Street, Suite 3600
Chicago, IL 60603
sb@nijmanfranzetti.com
kg@nijmanfranzetti.com

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

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: 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 10:00 a.m. on October 26, 2020, 9:00 a.m. on October 27, 2020, 9:00 a.m. on October 28, 2020, 9:00 a.m. on October 29, 2020, 9:00 a.m. on October 30, and 9:00 a.m. on October 31, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 9-040.

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 (sb@nijmanfranzetti.com) and Kristen Gale (kg@nijmanfranzetti.com) counsel for the Complainant, on this 16th day of October, 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: 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 10:00 a.m. on October 26, 2020, 9:00 a.m. on October 27, 2020, 9:00 a.m. on October 28, 2020, 9:00 a.m. on October 29, 2020, 9:00 a.m. on October 30, and 9:00 a.m. on October 31, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 9-040.

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 (sb@nijmanfranzetti.com) and Kristen Gale (kg@nijmanfranzetti.com) counsel for the Complainant, on this day 16th of October, 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: 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 10:00 a.m. on October 26, 2020, 9:00 a.m. on October 27, 2020, 9:00 a.m. on October 28, 2020, 9:00 a.m. on October 29, 2020, 9:00 a.m. on October 30, and 9:00 a.m. on October 31, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 9-040.

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 (sb@nijmanfranzetti.com) and Kristen Gale (kg@nijmanfranzetti.com) counsel for the Complainant, on this 16th day of October, 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 10:00 a.m. on October 26, 2020, 9:00 a.m. on October 27, 2020, 9:00 a.m. on October 28, 2020, 9:00 a.m. on October 29, 2020, 9:00 a.m. on October 30, and 9:00 a.m. on October 31, 2020 at James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois 60601, Room 9-040.

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 (sb@nijmanfranzetti.com) and Kristen Gale (kg@nijmanfranzetti.com) counsel for the Complainant, on this 16th day of October, 2020.

/s/ Ellen F. O'Laughlin
Signature