

**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**

To: ALL PERSONS ON THE ATTACHED CERTIFICATE OF SERVICE

Please take note that today, March 30, 2016, I filed Respondent, Illinois Department of Transportation's Certificate of Service for Subpoena for Documents on Property Insight, with the Clerk of the Pollution Control Board, a copy of which are hereby served upon you.

Respectfully Submitted,

By: s/Evan J. McGinley  
EVAN J. McGINLEY  
ELLEN O'LAUGHLIN  
Assistant Attorneys General  
Environmental Bureau  
69 W. Washington, 18<sup>th</sup> Floor  
Chicago, Illinois 60602  
(312) 814-3153  
[emcginley@atg.state.il.us](mailto:emcginley@atg.state.il.us)  
[eolaughlin@atg.state.il.us](mailto:eolaughlin@atg.state.il.us)  
[mccaccio@atg.state.il.us](mailto:mccaccio@atg.state.il.us)

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

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, EVAN J. MCGINLEY, do hereby certify that, today, March 30, 2016, I caused to be served on the individuals listed below, by first class mail and electronic mail, a true and correct copy of the attached Notice of Filing, as well Respondent, Illinois Department of Transportation's, Exhibit and Witness List.

John Therriault, Assistant Clerk Illinois Pollution Control Board James R. Thompson Center 100 West Randolph, Suite 11-500 Chicago, Illinois 60601 <a href="mailto:John.Therriault@illinois.gov">John.Therriault@illinois.gov</a>	Bradley Halloran Hearing Officer Illinois Pollution Control Board James R. Thompson Center 100 West Randolph, Suite 11-500 Chicago, Illinois 60601 <a href="mailto:Brad.Halloran@illinois.gov">Brad.Halloran@illinois.gov</a>
Susan Brice Lauren Caisman Bryan Cave LLP 161 North Clark Street, Suite 4300 Chicago, Illinois 60601 <a href="mailto:Susan.Brice@bryancave.com">Susan.Brice@bryancave.com</a> <a href="mailto:Lauren.Caisman@bryancave.com">Lauren.Caisman@bryancave.com</a>	Matthew J. Dougherty Assistant Chief Counsel Illinois Department of Transportation Office of the Chief Counsel, Room 313 2300 South Dirksen Parkway Springfield, Illinois 62764 <a href="mailto:Matthew.Dougherty@Illinois.gov">Matthew.Dougherty@Illinois.gov</a>

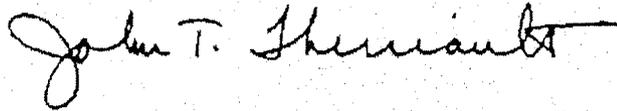
s/Evan J. McGinley  
Evan J. McGinley

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm.

Code 101.622(g) and 101.802.

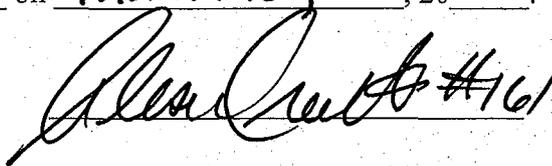
ENTER:



John T. Therriault, Clerk  
Pollution Control Board

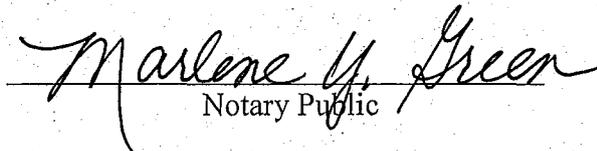
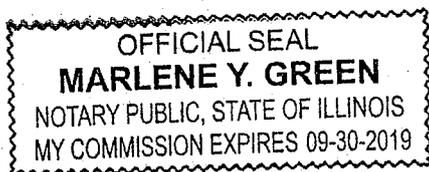
Date: March 16, 2016

I served this subpoena *duces tecum* by handing a copy to John Barnard,  
Production Services on March 18, 20 16.  
Managers



Subscribed and sworn to before me this 22nd day of March,

2016.



Notary Public

STATE OF ILLINOIS

COUNTY OF DuPage )  
 )SS.

CASE NUMBER: 2016-INVES-00009320/ PCB 14-3

**AFFIDAVIT OF SERVICE**

I, Alesia Crockett, #161, being first duly sworn, depose and state as follows:

I am an Investigator in the Office of the Attorney General, State of Illinois. Pursuant to 15 ILCS 205/4c investigators employed by the Attorney General have all the powers possessed by sheriffs.

I am over 21 years of age and not a party to this case.

I served the within Subpoena Duces Tecum and a copy of the attached \_\_\_\_\_

upon Property Insight, on the 18th day of March, 2016 at approximately 8:54 a.m. by:

PERSONAL service was made by giving a copy of the aforementioned \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_ Race, \_\_\_\_\_ Age, \_\_\_\_\_ Sex personally at \_\_\_\_\_ in \_\_\_\_\_ County, Illinois.

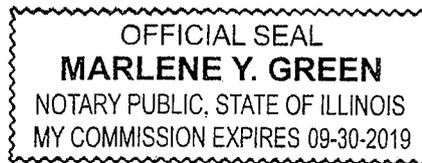
SUBSTITUTE service on \_\_\_\_\_ was made by handing the aforementioned \_\_\_\_\_ to \_\_\_\_\_, a member of the same household, (who is 13 years of age or older) \_\_\_\_\_, \_\_\_\_\_ Race, \_\_\_\_\_ Age, \_\_\_\_\_ Sex informing that person of the contents of the above cited document(s) on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at the hour of \_\_\_\_\_, at \_\_\_\_\_, in \_\_\_\_\_, County of \_\_\_\_\_, his/her usual place of residence and by placing the document(s) in the United States Mail on \_\_\_\_\_, with postage fully prepaid and addressed to the Respondent's last known address.

CORPORATION OR PARTNERSHIP service on Property Insight by leaving a copy of the Subpoena Duces Tecum and of the cited document(s) with John Barnard, Production Services Manager, Registered Agent / Officer or Agent.

Alesia Crockett, #161  
Investigator  
Office of the Attorney General

Subscribed and sworn to before me this 22nd day of March, 2016 at \_\_\_\_\_

Marlene Y. Green  
Notary Public



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>	)	

SUBPOENA DUCES TECUM

TO: Property Insight  
505 E. North Ave., Ste 200  
Carol Stream, IL 60188

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2006)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to produce the following documents identified below by April 8, 2016, to the above-referenced address, to the attention of Assistant Attorneys General Evan J. McGinley and Ellen O’Laughlin.

1. All documents in your possession, custody or control regarding standards and practices for performing the Search attached hereto as Exhibit 1, JM 0006016- JM 0006018 ;
2. All documents in your possession, custody or control regarding the Search, attached hereto as Exhibit 1, JM 0006016- JM 0006018;
3. All documents in your possession, custody or control regarding facts and circumstances surrounding creation of the document attached hereto as Exhibit 1, JM 0006016- JM 0006018.



Property Insight

Services

Miscellaneous Search

Xpress Services by Property Insight, 605 E. North Ave, Ste 200 Carol Stream, IL 60188

P (630)510-4150 F (630)588-0536

Customer Reference: WAUKEGAN AREA 2

Effective Date: 12/30/2015

Order No. 86661815-JMM

JOHNS MANVILLE  
717 17TH ST  
DENVER, CO 80202

DATE DELIVERED: 01/14/2016

State & County: Illinois, Lake

**A. Vesting Information**

Legal Description: SEE ATTACHED AREA 2 (HIGHLIGHTED IN BLUE) AS ILLUSTRATED ON THE ATTACHED MAP.

**B. Search Results**

WE HAVE SEARCHED OUR LAKE COUNTY, ILLINOIS TRACT INDICES FOR DEED CONVEYANCES AND DEDICATIONS SINCE THE RECORDING OF 2288725 (RECORDED JUNE 8, 1984) THROUGH OUR CURRENT COVER DATE DECEMBER 30, 2015 AND NOTE THE FOLLOWING:

- Grant for Public Highway: D871984 DocId: 2288725 Grantor(s): COMMONWEALTH EDISON CO Grantee(s): STATE OF IL Sign Date: 8/3/1971

NO OTHER DEED CONVEYANCES OR DEDICATIONS FOUND OF RECORD BETWEEN THE AFOREMENTIONED DATES.





OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

March 16, 2016

**VIA HAND DELIVERY**

Property Insight  
505 E. North Ave., Ste 200  
Carol Stream, IL 60188

Re: Subpoena for Deposition and Production of Documents,  
*Johns Manville v. Illinois Department of Transportation*, PCB 14-3

Dear Madam or Sir:

The Office of the Attorney General is subpoenaing your company, Property Insight, in order to produce all copies of the records listed on the attached subpoena.

Please contact the undersigned upon receipt of this subpoena

Regards,

A handwritten signature in black ink, appearing to read "Evan J. McGinley", is written over a horizontal line.

Evan J. McGinley  
Assistant Attorney General  
69 West Washington Street  
Suite 1800  
Chicago, IL 60602  
312.814.3153  
[emcginley@atg.state.il.us](mailto:emcginley@atg.state.il.us)

Enclosure

cc: Matthew Dougherty, Illinois Department of Transportation  
Susan Brice, Bryan Cave  
Lauren Caisman, Bryan Cave