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ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

TERESA L. SHEPRO, as Trustee of)
the Justice W. Shepro Trust,)
and TERESA L. SHEPRO and)
FRANK WIEMERSLAGE, as)
beneficiaries under Trust No. 898,)
of the Chicago Trust Company,)

Complainant,)

vs.)

Case No. PCB 04-12

NEWBY OIL COMPANY, DAVID E.)
TRIPP and JANICE L. TRIPP,)

Respondents.)

ANSWER TO AMENDED COMPLAINT

NOW COMES, the Respondents, DAVID E. TRIPP and JANICE L. TRIPP, by their attorneys, CLIFFE, FOSTER, CORNEILLE & BUICK, and for their Answer to the Amended Complaint of the Complainants alleges as follows:

Count I Newby

Respondents, DAVID E. TRIPP and JANICE L. TRIPP, make no answer to Count I of the Amended Complaint as no relief is asked for in that Count against them.

Count II- Tripp

1. Neither Admit or Deny.
2. Neither Admit or Deny.
3. Neither Admit or Deny.
4. Neither Admit or Deny.
5. Admit.
6. Admit.
7. Deny.

CLIFFE, FOSTER, CORNEILLE & BUICK
151 West Lincoln Highway
DeKalb, Illinois 60115
Phone: (815) 758-6616

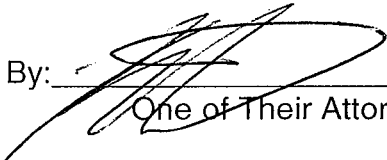
8. Admit.
9. Deny.
10. Deny.
11. Further answering, any contamination has been the sole result of the Petitioner's prior pollution of the site.
12. Deny.
13. Neither admit nor deny, but demand strict proof thereof.
14. Deny, including specific denials of subparagraphs (a), (b), (c), (d), (e) and (f).
15. Deny.
16. Deny.

WHEREFORE, Respondents, DAVID E. TRIPP and JANICE L. TRIPP, pray that all of the relief prayed for by Complainants in Count II be denied and that they have their costs of suit.

DAVID E. TRIPP and JANICE L. TRIPP

By: CLIFFE, FOSTER, CORNEILLE & BUICK

By: _____


One of Their Attorneys

CLIFFE, FOSTER, CORNEILLE & BUICK
151 West Lincoln Highway
DeKalb, Illinois 60115
Phone: (815) 758-6616

STATE OF ILLINOIS)
)
COUNTY OF DEKALB) SS

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he/she did deposit a copy of the foregoing Answer to Complaint in a United States Post Office Box in the City of DeKalb, DeKalb County, Illinois before the hour of 6:00 p.m., with United States postage fully prepaid thereon, on the 11th day of December, 2003, enclosed in an envelope properly and securely sealed and plainly addressed as follows:

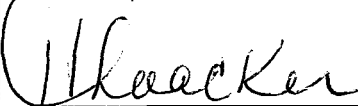
TO: Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

Clayton L. Lindsey
WILLIAMS & McCARTHY
P.O. Box 339
Oregon, IL 61062

William C. Murphy
Kinnally, Krentz, et al.
2114 Deerpath Road
P.O. Box 5030
Aurora, IL 60507-5030



Subscribed and Sworn to before
me this 11th day of December, 2003



Notary Public



CLIFFE, FOSTER, CORNEILLE & BUICK
151 West Lincoln Highway
DeKalb, Illinois 60115
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