

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

To: ALL PERSONS ON THE ATTACHED CERTIFICATE OF SERVICE

Please take note that today, March 30, 2016, Respondent, Illinois Department of Transportation, filed and served IDOT's 3rd Set of Interrogatories to Johns Manville and 2nd Set of Requests for Production to Johns Manville 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, 18th Floor
Chicago, Illinois 60602
(312) 814-3153
emcginley@atg.state.il.us
eolaughlin@atg.state.il.us
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

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, true and correct copies of IDOT's 3rd Set of Interrogatories to Johns Manville and 2nd Set of Requests for Production to Johns Manville 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

John Therriault
Clerk of the Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
john.therriault@illinois.gov

Susan Brice
Lauren Caisman
Bryan Cave LLP
161 North Clark Street, Suite 4300
Chicago, Illinois 60601
Susan.Brice@bryancave.com
Lauren.Caisman@bryancave.com

s/Evan J. McGinley
Evan J. McGinley

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

IDOT'S THIRD SET OF INTERROGATORIES TO COMPLAINANT

Respondent, ILLINOIS DEPARTMENT OF TRANSPORTATION ("IDOT"), pursuant to Section 101.616 of the Board's Procedural Regulations, 35 Ill. Adm. 101.616, and Illinois Supreme Court Rule 213, hereby serves its second set of interrogatories on Complainant, JOHNS MANVILLE, a Delaware corporation, for written answers, under oath, within 28 days of service hereof upon you.

I. INSTRUCTIONS

1. Complainant is required, in answering these Interrogatories to furnish all information available to Complainant or its employees, agents, contractors, experts, or consultants, or which is ascertainable by reasonable inquiry whether or not the requested information might be available from another entity.

2. If an Interrogatory has subparts, Complainant is required to answer each part separately and in full.

3. If Complainant cannot answer an Interrogatory in full, he is required to answer all parts of the Interrogatory to the extent possible and specify the reason for its inability to provide additional information.

4. As to each Interrogatory, or portion thereof, identify in the answer every oral communication, document or writing which relates to the Interrogatory or response, whether or not such identification is specifically requested by the Interrogatory.

5. In answering each Interrogatory, identify each document, person, communication or meeting which relates to, corroborates, or in any way forms the basis for the answer given.

6. If Complainant answers an Interrogatory by producing documents (see Illinois Supreme Court Rule 213(e)), Complainant shall make the requested documents available for inspection and copying at the Office of the Illinois Attorney General, Environmental Bureau, 69 West Washington Street, Suite 1800, Chicago, Illinois 60602.

7. Pursuant to Illinois Supreme Court Rule 213(e), Complainant is requested to serve upon IDOT corrected, supplemented or augmented answers hereto, documents or other forms of information from whatever source, which arguably tends to show that Complainant's prior answers are, might be, were or might have been in a sense incorrect, incomplete, potentially misleading or less than fully responsive or truthful.

8. Complainant shall supplement his responses as new information and documents become available.

9. If dates are requested, the exact date should be given if possible. However, if the exact date cannot be determined due to absence or inadequacy of records, the best estimate should be given as to the Interrogatory and labeled as such.

10. In construing these Interrogatories:

a. the singular shall include the plural and the plural shall include the singular; and

b. a masculine, feminine or neuter pronoun shall not exclude the other genders.

11. If you encounter any ambiguity in construing any Interrogatory, any definition or instruction pertaining to any Interrogatory, set forth the matter deemed "ambiguous" and the construction chosen or used in responding to the Interrogatory.

12. If Complainant answers an Interrogatory by producing documents (see Illinois Supreme Court Rule 213(e)), in producing the documents, you are requested to furnish all documents or things in your actual or constructive possession, custody or control, or known or available to you, regardless of whether such documents or things are possessed directly by you or by your attorneys, agents, employees, representatives or investigators.

13. Each Interrogatory should be construed and responded to independently from each other Interrogatory. The scope of any Interrogatory should not be construed to limit or narrow the scope of any other Interrogatory.

14. This discovery is deemed continuing, necessitating supplemental answers by Complainant, or anyone acting on its behalf, when or if they obtain additional information which supplements or alters the answers now provided.

II. CLAIMS OF PRIVILEGE

1. With respect to any Interrogatory which Complainant refuses to answer on a claim of privilege, provide a statement signed by an attorney representing Complainant setting forth for each such assertion of privilege or work product including the following:

- a. the name and job title of every person involved in the conversation or communication;
- b. the nature of the information disclosed;
- c. all facts relied upon in support of the claim of privilege;
- d. all documents related to the claim of privilege;
- e. all events, transactions or occurrences related to the claim of privilege;
- f. the statute, rule or decision which is claimed to give rise to the privilege or the reason for its unavailability.

2. If the objection relates to only part of an Interrogatory, the balance of the Interrogatory should be answered in full.

3. If you claim the attorney-client privilege or any other privilege is applicable to any document, with respect to that document:

- a. state the date of the document;
- b. identify each and every author of the document;
- c. identify each and every other person who prepared or participated in the preparation of the document;
- d. identify each and every person for whom the document was received;
- e. identify each and every person from whom the document was received;
- f. state the present location of the document and all copies thereof;
- g. identify each and every person having custody or control of the document and all copies thereof; and
- h. provide sufficient further information concerning the document to explain the claim of privilege and to permit adjudication of the propriety of that claim

III. DEFINITIONS

1. "Act" shall mean the Illinois Environmental Protection Act, 415 ILCS 5/1 *et. seq.* (2012).
2. "Answer" shall mean the Answer filed by IDOT in *Johns Manville v. Illinois Department of Transportation.*, PCB 14-3.
3. "Communication" shall mean, without limitation, any and all forms of transferring information, including discussions, conversations, meetings, conferences, interviews, negotiations, agreements, understandings, inquiries, correspondence, documents, or other transfers of information whether written or oral or by any other means, including electronic and includes any document which abstracts, digests, transcribes or records any communication.
4. "Complainant" shall mean Johns Manville and any of Complainant's employees, agents, representatives, successors or assigns, or any other person acting or believed by Complainant to have acted on its behalf.
5. "Consultant" shall mean any type of environmental professional, including, but not limited to, any type of engineer, geologist, hydrologist, chemist, retained for the purpose of conducting environmental studies of the Site or Facility.
6. "Current" or "Present" shall mean the date on which Complainant serves its Response to these Interrogatories on IDOT's attorneys.
7. "Describe" shall mean to depict in written words or give an account of.
8. "Document" or "documents" shall be construed in its customary broad sense and shall include, but is not limited to, the original and any non-identical copy, whether different from the original because of notes made on said copy or otherwise, or any agreement, bank record or statement; book of account, including any ledger, sub-ledger, journal, or sub-journal; brochure; calendar; chart; check; circular; communication (intra- or inter-company or governmental entity or agency or agencies); contract; copy; correspondence; diary; draft of any document; electronic mail (e-mail); facsimile (fax); graph; index; instruction; instruction manual or sheet; invoice; job requisition; letter; log; license; manifest; manual; memorandum; minutes; newspaper or other clipping; note; note book; opinion; pamphlet; paper; periodical or other publication; photograph; print; receipt; record; recording; report; statement; study; summary including any memorandum, minutes, note record, or summary of any (a) telephone, videophone or intercom conversation or message, (b) personal conversation or interview, or (c) meeting or conference; telegram; telephone log; ticket; travel or expense record; trip ticket; voucher; worksheet or working paper; writing; any other handwritten, printed, reproduced, recorded, typewritten, or otherwise produced graphic material from which the information inquired of may be obtained, or any other documentary material of any nature, in the possession, custody or control of the Respondent.
9. "Governmental agency" means any government agency, including federal,

municipal, county, or state, or any subdivisions thereof.

10. "Facility" or "Site" shall mean the real property and any structures thereon located in Waukegan County, Illinois and referred to in the Complaint as the "Southwestern Site Areas."

11. "Identification" or "identify" shall mean:

- a. As to an individual, stating his or her:
 - i. full and customarily used names;
 - ii. present business and residence addresses;
 - iii. business or profession during the relevant time period;
 - iv. every office, title, or position held during the relevant time period; and
 - v. every employer during the relevant time period.
- b. As to any person as defined in Section III, Definition 18, other than an individual, state:
 - i. its legal name and any other name used by it;
 - ii. the form or manner of its organization (e.g. partnership, corporation, etc.); and
 - iii. the state of its incorporation (if it is incorporated) and the address of its principal place of business.
- c. As to any event, incident, conversation, transaction or occurrence, stating:
 - i. the date;
 - ii. the place where it took place and the manner of its occurrence;
 - iii. identification of all the participants;
 - iv. its purpose and subject matter; and
 - v. a description of what transpired.
- d. As to a document, state:
 - i. the date of its creation, execution, and receipt;
 - ii. its author or signatory;
 - iii. its addresses and any other recipient;
 - iv. its type or nature (e.g., letter, memorandum, etc.);
 - v. the identity of the custodian;
 - vi. the present location of the document; and,
 - vii. a summary of the document's subject and contents.

12. "IDOT" means the Respondent, Illinois Department of Transportation.

13. "Illinois EPA" or "IEPA" or "Agency" means the Illinois Environmental Protection Agency.

14. "Knowledge" means first hand information and/or information derived from any other source, including hearsay.

15. "Johns Manville" shall mean Johns Manville and any of its officers, directors, employees, agents, representatives, successors or assigns, or any other person acting on behalf of Johns Manville.

16. "Operate" or "operation" shall mean use, exercise control over, supervise or having responsibility for the daily performance of.

17. "Or" shall mean and/or wherever appropriate.

18. "Own" or "ownership" shall mean having good legal title to, hold as property or possess.

19. "Person" shall include, but is not limited to, any natural person; business or corporation, whether for profit or not, whether currently dissolved, or not; firm, partnership, or other non-corporate business organization; charitable, religious, education, governmental, or other non-profit institution, foundation, body, or other organization; or employee, agent, or representative of any of the foregoing.

20. "Present" shall mean the date on which Complainant serve its Response to this Interrogatory on IDOT's attorneys.

21. "Related to" or "relating to" or "in relation to" shall mean anything which, directly or indirectly, concerns, consists of, pertains to, reflects, evidences, describes, sets forth, constitutes, contains, shows, underlies, supports, refers to in any way, is or was used in the preparation of, is appended to, is legally, logically or factually connected with, proves, disproves, or tends to prove or disprove.

22. "Relied upon" shall mean being or having been depended upon or referred to or being or having been arguably appropriate for such reliance.

23. "Second Amended Complaint" shall mean the Second Amended Complaint filed on March 3, 2016, in *Johns Manville v. Illinois Department of Transportation*, PCB 14-3.

24. "Site 3" shall have the same meaning as used in the Second Amended Complaint.

25. "Site 6" shall have the same meaning as used in the Second Amended Complaint.

26. "Southwestern Sites" shall have the same meaning as used in the Amended Complaint.

27. "You" and "your" shall refer to and mean the Complainant, Johns Manville.

28. All terms not specifically defined herein shall have their logical ordinary meaning, unless such terms are defined in the Act or the regulations promulgated under the Act, in which case the appropriate or regulatory definitions shall apply.

IV. INTERROGATORIES

INTERROGATORY #1:

Identify all facts and bases for the allegations set forth in Paragraph 9 of the Second Amended Complaint.

ANSWER

INTERROGATORY #2:

Identify all facts and bases for the allegations set forth in Paragraph 12 of the Second Amended Complaint.

ANSWER

INTERROGATORY #3

Identify all facts and bases for the allegations set forth in Paragraph 71 of the Second Amended Complaint.

ANSWER

INTERROGATORY #4

Identify all documents which pertain or relate to the Plaintiff's allegations in Paragraph 9, 12 or 71 of the Second Amended Complaint.

ANSWER

INTERROGATORY #5:

Identify all steps taken by Complainant in regard to the allegations newly made in the Second Amended Complaint.

ANSWER

INTERROGATORY #6:

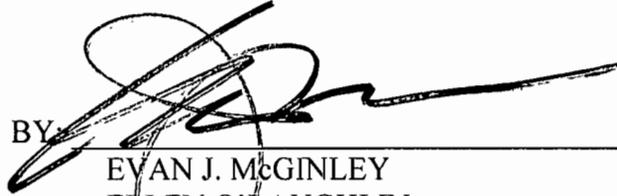
Identify all documents which pertain to steps taken by Complainant in regard to the allegations newly made in the Second Amended Complaint.

ANSWER

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney
General of the State of Illinois

BY



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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 16, 2016, I caused to be served on the individuals listed below first class and electronic mail, a true and correct copy of the IDOT's 3rd Set of Interrogatories on the individuals listed below:

Susan Brice
Lauren Caisman
Bryan Cave LLP
161 North Clark Street, Suite 4300
Chicago, Illinois 60601
Susan.Brice@bryancave.com
Lauren.Caisman@bryancave.com

s/Evan J. McGinley
Evan J. McGinley

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

RESPONDENT'S SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO COMPLAINANT

Respondent, ILLINOIS DEPARTMENT OF TRANSPORTATION ("IDOT"), pursuant to Section 101.616 of the Board's Procedural Regulations, 35 Ill. Adm. 101.616, and Illinois Supreme Court Rule 213, hereby serves its second set of requests for production to Complainant, JOHNS MANVILLE, a Delaware corporation, for written answers, under oath, within 28 days of service hereof upon you.

I. INSTRUCTIONS

1. Complainant is required, in answering these Interrogatories to furnish all information available to Complainant or his employees, agents, contractors, experts, or consultants, or which is ascertainable by reasonable inquiry whether or not the requested information might be available from another entity.
2. If an Interrogatory has subparts, Complainant is required to answer each part separately and in full.
3. If Complainant cannot answer an Interrogatory in full, he is required to answer all parts of the Interrogatory to the extent possible and specify the reason for its inability to provide additional information.
4. As to each Interrogatory, or portion thereof, identify in the answer every oral communication, document or writing which relates to the Interrogatory or response, whether or not such identification is specifically requested by the Interrogatory.

5. In answering each Interrogatory, identify each document, person, communication or meeting which relates to, corroborates, or in any way forms the basis for the answer given.

6. If Complainant answers an Interrogatory by producing documents (see Illinois Supreme Court Rule 213(e)), Complainant shall make the requested documents available for inspection and copying at the Office of the Illinois Attorney General, Environmental Bureau, 69 West Washington Street, Suite 1800, Chicago, Illinois 60602.

7. Pursuant to Illinois Supreme Court Rule 213(e), Complainant is requested to serve upon IDOT corrected, supplemented or augmented answers hereto, documents or other forms of information from whatever source, which arguably tends to show that Complainant's prior answers are, might be, were or might have been in a sense incorrect, incomplete, potentially misleading or less than fully responsive or truthful.

8. Complainant shall supplement his responses as new information and documents become available.

9. If dates are requested, the exact date should be given if possible. However, if the exact date cannot be determined due to absence or inadequacy of records, the best estimate should be given as to the Interrogatory and labeled as such.

10. In construing these Interrogatories:

- a. the singular shall include the plural and the plural shall include the singular; and
- b. a masculine, feminine or neuter pronoun shall not exclude the other genders.

11. If you encounter any ambiguity in construing any Interrogatory, any definition or instruction pertaining to any Interrogatory, set forth the matter deemed "ambiguous" and the construction chosen or used in responding to the Interrogatory.

12. If Complainant answers an Interrogatory by producing documents (see Illinois Supreme Court Rule 213(e)), in producing the documents, you are requested to furnish all documents or things in your actual or constructive possession, custody or control, or known or available to you, regardless of whether such documents or things are possessed directly by you or by your attorneys, agents, employees, representatives or investigators.

13. Each Interrogatory should be construed and responded to independently from each other Interrogatory. The scope of any Interrogatory should not be construed to limit or narrow the scope of any other Interrogatory.

14. This discovery is deemed continuing, necessitating supplemental answers by Complainant, or anyone acting on its behalf, when or if they obtain additional information which supplements or alters the answers now provided.

II. CLAIMS OF PRIVILEGE

1. With respect to any Interrogatory which Complainant refuses to answer on a claim of privilege, provide a statement signed by an attorney representing Complainant setting forth for each such assertion of privilege or work product including the following:

- a. the name and job title of every person involved in the conversation or communication;
- b. the nature of the information disclosed;
- c. all facts relied upon in support of the claim of privilege;
- d. all documents related to the claim of privilege;
- e. all events, transactions or occurrences related to the claim of privilege;
- f. the statute, rule or decision which is claimed to give rise to the privilege or the reason for its unavailability.

2. If the objection relates to only part of an Interrogatory, the balance of the Interrogatory should be answered in full.

3. If you claim the attorney-client privilege or any other privilege is applicable to any document, with respect to that document:

- a. state the date of the document;
- b. identify each and every author of the document;
- c. identify each and every other person who prepared or participated in the preparation of the document;
- d. identify each and every person for whom the document was received;
- e. identify each and every person from whom the document was received;
- f. state the present location of the document and all copies thereof;
- g. identify each and every person having custody or control of the document and all copies thereof; and
- h. provide sufficient further information concerning the document to explain the claim of privilege and to permit adjudication of the propriety of that claim

III. DEFINITIONS

1. "Act" shall mean the Illinois Environmental Protection Act, 415 ILCS 5/1 *et. seq.* (2012).
2. "Answer" shall mean the Answer filed by IDOT in *Johns Manville v. Illinois Department of Transportation*, PCB 14-3.
3. "Communication" shall mean, without limitation, any and all forms of transferring information, including discussions, conversations, meetings, conferences, interviews, negotiations, agreements, understandings, inquiries, correspondence, documents, or other transfers of information whether written or oral or by any other means, including electronic and includes any document which abstracts, digests, transcribes or records any communication.
4. "Complainant" shall mean Johns Manville and any of Complainant's employees, agents, representatives, successors or assigns, or any other person acting or believed by Complainant to have acted on its behalf.
5. "Consultant" shall mean any type of environmental professional, including, but not limited to, any type of engineer, geologist, hydrologist, chemist, retained for the purpose of conducting environmental studies of the Site or Facility.
6. "Current" or "Present" shall mean the date on which Complainant serves its Response to these Interrogatories on IDOT's attorneys.
7. "Describe" shall mean to depict in written words or give an account of.
8. "Document" or "documents" shall be construed in its customary broad sense and shall include, but is not limited to, the original and any non-identical copy, whether different from the original because of notes made on said copy or otherwise, or any agreement, bank record or statement; book of account, including any ledger, sub-ledger, journal, or sub-journal; brochure; calendar; chart; check; circular; communication (intra- or inter-company or governmental entity or agency or agencies); contract; copy; correspondence; diary; draft of any document; electronic mail (e-mail); facsimile (fax); graph; index; instruction; instruction manual or sheet; invoice; job requisition; letter; log; license; manifest; manual; memorandum; minutes; newspaper or other clipping; note; note book; opinion; pamphlet; paper; periodical or other publication; photograph; print; receipt; record; recording; report; statement; study; summary including any memorandum, minutes, note record, or summary of any (a) telephone, videophone or intercom conversation or message, (b) personal conversation or interview, or (c) meeting or conference; telegram; telephone log; ticket; travel or expense record; trip ticket; voucher; worksheet or working paper; writing; any other handwritten, printed, reproduced, recorded, typewritten, or otherwise produced graphic material from which the information inquired of may be obtained, or any other documentary material of any nature, in the possession, custody or control of the Respondent.
9. "Governmental agency" means any government agency, including federal,

municipal, county, or state, or any subdivisions thereof.

10. "Facility" or "Site" shall mean the real property and any structures thereon located in Waukegan County, Illinois and referred to in the Complaint as the "Southwestern Site Areas."

11. "Identification" or "identify" shall mean:

- a. As to an individual, stating his or her:
 - i. full and customarily used names;
 - ii. present business and residence addresses;
 - iii. business or profession during the relevant time period;
 - iv. every office, title, or position held during the relevant time period; and
 - v. every employer during the relevant time period.
- b. As to any person as defined in Section III, Definition 18, other than an individual, state:
 - i. its legal name and any other name used by it;
 - ii. the form or manner of its organization (e.g. partnership, corporation, etc.); and
 - iii. the state of its incorporation (if it is incorporated) and the address of its principal place of business.
- c. As to any event, incident, conversation, transaction or occurrence, stating:
 - i. the date;
 - ii. the place where it took place and the manner of its occurrence;
 - iii. identification of all the participants;
 - iv. its purpose and subject matter; and
 - v. a description of what transpired.
- d. As to a document, state:
 - i. the date of its creation, execution, and receipt;
 - ii. its author or signatory;
 - iii. its addresses and any other recipient;
 - iv. its type or nature (e.g., letter, memorandum, etc.);
 - v. the identity of the custodian;
 - vi. the present location of the document; and,
 - vii. a summary of the document's subject and contents.

12. "Respondent" means the Illinois Department of Transportation or IDOT.

13. "Illinois EPA" or "IEPA" or "Agency" means the Illinois Environmental Protection Agency.

14. "Knowledge" means first hand information and/or information derived from any other source, including hearsay.

15. "Johns Manville" shall mean Johns Manville and any of its officers, directors, employees, agents, representatives, successors or assigns, or any other person acting on behalf of Johns Manville.

16. "Operate" or "operation" shall mean use, exercise control over, supervise or having responsibility for the daily performance of.

17. "Or" shall mean and/or wherever appropriate.

18. "Own" or "ownership" shall mean having good legal title to, hold as property or possess.

19. "Person" shall include, but is not limited to, any natural person; business or corporation, whether for profit or not, whether currently dissolved, or not; firm, partnership, or other non-corporate business organization; charitable, religious, education, governmental, or other non-profit institution, foundation, body, or other organization; or employee, agent, or representative of any of the foregoing.

20. "Present" shall mean the date on which Complainant serve its Response to this Interrogatory on IDOT's attorneys.

21. "Related to" or "relating to" or "in relation to" shall mean anything which, directly or indirectly, concerns, consists of, pertains to, reflects, evidences, describes, sets forth, constitutes, contains, shows, underlies, supports, refers to in any way, is or was used in the preparation of, is appended to, is legally, logically or factually connected with, proves, disproves, or tends to prove or disprove.

22. "Relied upon" shall mean being or having been depended upon or referred to or being or having been arguably appropriate for such reliance.

23. "Second Amended Complaint" shall mean the Second Amended Complaint filed on March 3, 2016, in *Johns Manville v. Illinois Department of Transportation*, PCB 14-3.

24. "You" and "your" shall refer to and mean the Complainant, Johns Manville.

25. All terms not specifically defined herein shall have their logical ordinary meaning, unless such terms are defined in the Act or the regulations promulgated under the Act, in which case the appropriate or regulatory definitions shall apply.

IV. DOCUMENT REQUESTS

DOCUMENT REQUEST #1

All documents which pertain or relate to the allegations in Paragraph 9 of your Second Amended Complaint regarding the “adjacent property owned by Commonwealth Edison (“ComEd”) and the State of Illinois.”

ANSWER

DOCUMENT REQUEST #2

All documents which pertain or relate to the allegations in Paragraph 12 of your Second Amended Complaint that the State of Illinois “has owned, held an interest in and/or controlled portions of Site 6, including a right of way on the southern side of Greenwood Avenue.”

ANSWER

DOCUMENT REQUEST #3

All documents which pertain or relate to the allegations in Paragraph 71 of your Second Amended Complaint.

ANSWER

DOCUMENT REQUEST #4

All documents which pertain to steps taken by Complainant in regard to the allegations newly made in the Second Amended Complaint.

ANSWER

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney
General of the State of Illinois

BY: 

EVAN J. MCGINLEY
ELLEN O'LAUGHLIN
Assistant Attorneys General
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OF COUNSEL:

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Assistant Chief Counsel
Illinois Department of Transportation
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Springfield, Illinois 62764
Office Tel: 217-785-7524
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 16, 2016, I caused to be served on the individuals listed below first class and electronic mail, a true and correct copy of the IDOT's 3rd Set of Requests for Production of Documents on the individuals listed below:

Susan Brice
Lauren Caisman
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Chicago, Illinois 60601
Susan.Brice@bryancave.com
Lauren.Caisman@bryancave.com

s/Evan J. McGinley
Evan J. McGinley