

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

TIMBER CREEK HOMES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB No. 14-99
)	(Pollution Control Facility
)	Siting Appeal)
VILLAGE OF ROUND LAKE PARK, ROUND)	
LAKE PARK VILLAGE BOARD and GROOT)	
INDUSTRIES, INC.,)	
)	
Respondents.)	

GROOT INDUSTRIES, INC.'S FIRST INTERROGATORIES TO RESPONDENT VILLAGE OF ROUND LAKE PARK

NOW COMES the Respondent, Groot Industries, Inc. ("Groot"), and propounds the following Interrogatories to Respondent the Village of Round Lake Park to be answered by March 15, 2014.

DEFINITIONS

A. "TCH" refers to Timber Creek Homes, Inc., and all of its respective agents, directors, officers, employees, representatives, and all persons and entities who have acted or purported to act on its behalf.

B. "Village of Round Lake Park" or "Village" means the Village of Round Lake Park and all of its respective agents, directors, officers, employees, representatives, and all persons and entities who have acted or purported to act on its behalf.

C. "Round Lake Park Village Board" or "Village Board" means the Village Board, its members, and any of their respective agents, directors, officers, employees, representatives, and all persons and entities who have acted or purported to act on their behalf.

D. "Groot" means Groot Industries, Inc., and any of its respective agents, directors, officers, employees, representatives, and all persons and entities who have acted or purported to act on its behalf.

E. "Communication" means, without limiting the generality of its meaning, any form of communication between two or more persons, whether in writing or oral, including but not limited to correspondence, e-mails, conversations, phone calls, reports, documents, and memoranda.

F. "Siting Application" means Groot's Application seeking approval for a municipal solid waste transfer station to be located at the northeast corner of Illinois Route 120 and Porter Drive in the Village of Round Lake Park, filed on June 21, 2013.

G. "Document" means, without limiting the generality of its meaning, writings, papers, or tangible things of any kind or nature whatsoever in the possession or subject to the control of the Petitioner, its respective agents, employees, representatives, witnesses, or attorneys, including but not limited to letters, handwritten notes, calendar pads, appointment books, notepads, notebooks, correspondence of any kind, postcards, memorandum, telegrams, telexes, e-mails, internal communications of any kind, annual or other reports, financial statements, billing statements, payment authorizations, canceled checks, books, records, ledgers, journals, minutes of all meetings, contracts, agreements, appraisals, analysis, charts, graphs, bulletins, speeches, reports, data sheets, data tapes, or readable computer interpretations thereof, computer programs, software or any medium containing computer programs, circulars, pamphlets, notices, statements, stenographic notes, surveys, microfilm, microfiche, tape and disk recordings, photostats, photographs, drawings, transparencies, overlays, periodicals, sketches, illustrations, blueprints, plans, and personal interviews, wherever located, including non-final drafts or earlier versions and non-identical copies of any of the above, and all compilations of the foregoing, including binders, notebooks, folders and files.

H. "Refer or relate" means anything which directly or indirectly concerns, consists of, pertains to, reflects, evidences, describes, sets forth, constitutes, contains, shows, underlies, supports, or refers to in any way, or was used in the preparation of, appended to, legally, logically, or factually connected with, proves, disproves, or tend to prove or disprove.

I. "Siting process and procedures" includes any and all proceedings and processes employed by the Village or the Village Board before and after the filing of the Siting Application through the decision rendered by the Village Board on December 12, 2013, concerning the Siting Application.

J. The singular and plural form shall be construed interchangeably so as to bring within the scope of these requests any documents which might otherwise be construed outside their scope.

K. The words "and" and "or" shall be construed conjunctively and disjunctively as necessary to bring within this document request all information that might otherwise be construed as outside their scope.

In accordance with the foregoing definitions, please answer the following:

INTERROGATORIES

INTERROGATORY NO. 1. Identity all persons answering these Interrogatories, and all persons who provided information regarding or assisted in answering these Interrogatories.

ANSWER:

INTERROGATORY NO. 2. Please identify any and all agents, employees, owners, attorneys, staff, or other persons affiliated with TCH who, prior to the filing of the Siting Application on June 21, 2013, met, talked, or communicated with the Village or any of its agents, employees, staff, attorneys related to the Siting Application or siting process and procedures, and for each such individual, please:

- a. identify the individual by name and title and identify what type of communication took place (written, oral, telephone, e-mail, etc.);
- b. identify the subject matter of each such communication;
- c. describe and delineate the exact statements made during the course of each such communication;
- d. identify date, time and duration of each such communication;
- e. identify the location of each such communication; and
- f. identify all persons present at such communication.

ANSWER:

INTERROGATORY NO. 3. Please identify any and all communications between the Village, or any of its agents, staff, employees, or attorneys, with TCH or any of its agents or attorneys, including but not limited to Mr. Larry Cohn or Mr. Michael Blazer, at any time since June 21, 2013, and for each communication, please:

- a. identify the individual involved in such communication by name and title and identify what type of communication took place (written, oral, telephone, e-mail, etc.);
- b. identify the subject matter of each such communication;
- c. describe and delineate the exact statements made during the course of each such communication;
- d. identify date, time and duration of each such communication;
- e. identify the location of each such communication; and
- f. identify all persons present at such communication.

ANSWER:

Dated: February 14, 2014

Respectfully submitted,

On behalf of GROOT INDUSTRIES, INC.

/s/ Richard S. Porter

Richard S. Porter
One of Its Attorneys

Charles F. Helsten ARDC 6187258
Richard S. Porter ARDC 6209751
HINSHAW & CULBERTSON LLP
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900