

COPY

ILLINOIS POLLUTION CONTROL BOARD

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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 COMPLAINT

NOW COMES, the Respondent, NEWBY OIL COMPANY, by its attorneys, KINNALLY,
KRENTZ, LORAN, HODGE & HERMAN, P.C., and for its answer to the complaint of the Plaintiffs
alleges as follows:

Count I - Newby

- 1. Deny.
- 2. Deny.
- 3. Deny.
- 4. Deny.
- 5. Admit.
- 6. Admit.
- 7. Deny.
- 8. Admit.

9. Deny.
10. Deny.
11. Deny. Further answering, state the fact to be that any contamination has been the sole result of Petitioners' 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.

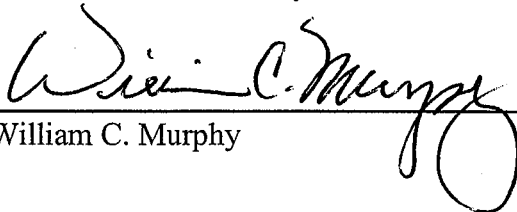
WHEREFORE, Defendant, NEWBY, prays that all of the relief prayed for by Complainants in Count I be denied and that this Defendant have its costs of suit.

Count II - Tripp

Defendant, NEWBY OIL COMPANY, makes not answer to Count II of the Complaint as no relief is asked for in that Count against NEWBY OIL COMPANY.

NEWBY OIL COMPANY

By: KINNALLY, KRENTZ, LORAN, HODGE &
HERMAN, P.C., its attorneys

By: 

William C. Murphy

William C. Murphy *Attorney No. 1998838*
KINNALLY, KRENTZ, LORAN, HODGE & HERMAN, P.C.
2114 Deerpath Road
P.O. Box 5030
Aurora, Illinois 60507-5030
630/907-0909

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

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CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that she did deposit a copy of the foregoing **Answer to Complaint** in a United States Post Office Box in the City of Aurora, Kane County, Illinois, before the hour of 6:00 p.m., with United States postage fully prepaid thereon, on the **18th** day of **September, 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

Keith L. Foster
CLIFFE, FOSTER, CORNEILLE & BUICK, P.C.
151 W. Lincoln Highway
DeKalb, IL 60115

Laura M Burns

SUBSCRIBED and SWORN TO before
me this 18th day of September, 2003.

Faviola Carmona
NOTARY PUBLIC

