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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS)
 ex rel. GARY W. PACK,)
 McHenry County State's Attorney,)
)
 Complainant,)
 Vs.)
 MICHAEL STRINGINI,)
)
 Respondent.)

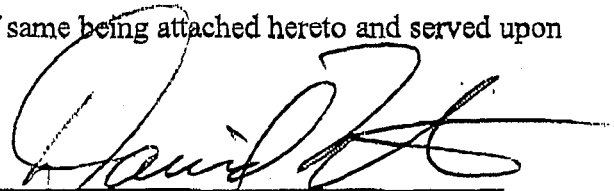
STATE OF ILLINOIS
Pollution Control Board

PCB 01-43
(RCRA Enforcement)

NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST

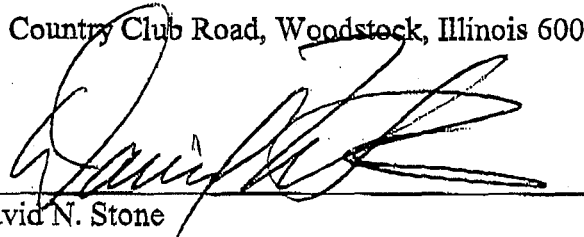
On the date indicated below, the Plaintiff mailed its MOTION FOR ORDER TO PRODUCE AT HEARING PURSUANT TO PCB 101.614,, a copy of same being attached hereto and served upon you.



David N. Stone, Assistant State's Attorney,
Gary W. Pack, McHenry County State's
Attorney

CERTIFICATE OF SERVICE

I, David N. Stone, an Assistant State's Attorney in this case, do certify that I caused to be mailed this 5th day of November, 2003, the foregoing NOTICE OF FILING upon the persons listed on the attached service list by certified mail in an envelope bearing sufficient postage with the United States Postal Service located at 1050 Country Club Road, Woodstock, Illinois 60098.


David N. Stone

SERVICE LIST

Case No. PCB 01-43

NAME:

INTEREST:

POLLUTION CONTROL BOARD CLERK
JAMES R THOMPSON CENTER STE 11-500
100 W RANDOLPH STREET
CHICAGO IL 60601

ORIGINAL PLUS FOUR COPIES

MR MICHAEL STRINGINI
437SPRUCE CT
SCHAUMBURG IL 60193

Defendant

PAUL JAGIELLO
ILLINOIS EPA
9511WEST HARRISON ST
DESPLAINES IL 60016

Non record Attorney for
IEPA

Gary W. Pack, McHenry County State's Attorney
David N. Stone, Assistant State's Attorney
McHenry County Government Center
2200 N. Seminary Ave.
Woodstock, IL. 60098
815 334 4159
Atty No. 02744309

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS)	
<u>ex rel.</u> GARY W. PACK,)	
McHenry County State's Attorney,)	
)	
Complainant,)	
vs.)	PCB 01-43
)	(RCRA Enforcement)
MICHAEL STRINGINI,)	
)	
Respondent.)	

**MOTION FOR ORDER TO PRODUCE AT HEARING
PURSUANT TO PCB 101.614**

Now comes the Complainant and moves the Hearing Officer pursuant to PCB 101.614 to order the Defendant, Michael Stringini to produce the following materials at the hearing on civil penalty:

a. All records of receipts of money from Sloan Valve Company during the calendar years 1980 through 1984 for Defendant's receiving foundry sand from Sloan Valve that was delivered to the Zimmerman Property in Union, Illinois.

b. Defendant's individual state and federal income tax returns for the calendar years 1980 through 1984 and the calendar years 2001 and 2002.

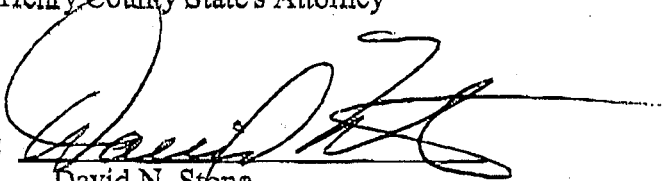
c. A current financial statement listing Defendant's current assets and liabilities.

This information is relevant to the matter under consideration being the amount of civil penalty that should be assessed and is information that the Pollution Control Board in its INTERIM OPINION AND ORDER dated October 16, 2003 specifically directed the parties to address at the hearing on the penalty phase of the proceeding.

This information was not specifically requested during the discovery and discovery in this case is closed. The Complainant would not normally be interested in providing this information since it tends to go, in large part, to mitigation. Since the Defendant is pro se, he should be ordered to provide this information so that the evidence adduced at the hearing will be inclusive of what the Boards INTERIM ORDER deemed necessary to impose a civil penalty.

Respectfully submitted,

GARY W. PACK
McHenry County State's Attorney

By: 
David N. Stone
Assistant State's Attorney

DATE: November 5, 2003
Gary W. Pack, McHenry County State's Attorney
David N. Stone, Assistant State's Attorney
McHenry County Government Center
2200 N. Seminary Ave.
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Atty No. 02744309

Office of the State's Attorney
McHENRY COUNTY
NINETEENTH JUDICIAL CIRCUIT OF ILLINOIS

NOV 5 2003

STATE OF ILLINOIS
Pollution Control Board

GARY W. PACK
STATE'S ATTORNEY



McHENRY COUNTY GOVERNMENT CENTER
2200 NORTH SEMINARY AVENUE
WOODSTOCK, ILLINOIS 60098
PHONE: (815) 334-4159
Fax: (815) 337-0872

Date: November 5, 2003

FACSIMILE TRANSMITTAL SHEET

TO: Bradley P. Halloran, Hearing Officer
FAX #: 312 814 3669
FROM: McHenry County State's Attorney - Civil Division
BY: David N. Stone

2200 North Seminary Avenue
Woodstock, IL 60098
(815) 334-4159/FAX (815) 337-0872

This transmission consists of the following number of pages (including this cover sheet): 5

In Re: People v. Stringini

Original transmitted document to follow by mail: **

Dear Mr. Halloran:

Per your instructions you will find a copy of my motion to produce. This is being mailed with four copies to the PCB clerk and also to Mr. Stringini.

I have also mailed a motion to non-suit Counts V & VII to the clerk with nine copies for the Board. I assume you do not need that faxed to you.

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

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