

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
vs.)	No. PCB No. 04-192
)	(Enforcement – Land &
SMITHFIELD PROPERTIES, L.L.C., an Illinois)	Water)
limited liability Company, WOOTON)	
CONSTRUCTION, LTD., an Illinois corporation, and)	
CHICAGO SUN-TIMES, INC., a Delaware)	
corporation,)	
)	
Respondents.)	

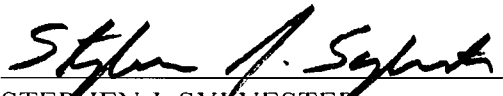
NOTICE OF FILING

TO: See Attached Service List

(VIA ELECTRONIC FILING)

PLEASE TAKE NOTICE that on May 6, 2011 the Complainant, PEOPLE OF THE STATE OF ILLINOIS, filed before the Illinois Pollution Control Board, pursuant to Section 101.622(b) of the Board Procedural Regulations, a copy of Subpoena Duces Tecum for the Deposition of Party Representative, William H. Smith, a true and correct copy of which is attached and hereby served upon you.

PEOPLE OF THE STATE OF ILLINOIS,
by LISA MADIGAN, Attorney General
of the State of Illinois

BY: 
 STEPHEN J. SYLVESTER
 Assistant Attorney General
 Environmental Bureau
 69 W. Washington St., Suite 1800
 Chicago, Illinois 60602
 (312) 814-2087

Date: May 6, 2011

SERVICE LIST

Mr. Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601

Kevin B. Hynes
O'Keefe, Lyons & Hynes, LLC
30 N. LaSalle Street, Suite 4100
Chicago, IL 60602

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limited liability Company, WOOTON)
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CHICAGO SUN-TIMES, INC., a Delaware)
corporation,)
)
Respondents.)

No. PCB No. 04-192
(Enforcement – Land &
Water)

SUBPOENA DUCES TECUM

TO: William H. Smith
400 W. Huron
Chicago, IL 60654

Kevin B. Hynes
O’Keefe, Lyons & Hynes, LLC
30 N. LaSalle Street, Suite 4100
Chicago, IL 60602

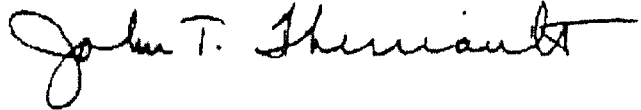
Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2010)) and 35 Ill. Adm. Code 101, Subpart F, William H. Smith is ordered to attend and give testimony at the deposition in the above-captioned matter at 69 W. Washington Street, Suite 1800, Chicago, Illinois, 60602 at 1:30 pm on May 12, 2011.

You are also ordered to bring with you documents relevant to the matter under consideration and designated herein, including but not limited to documents demonstrating the relationship between Smithfield Properties, LLC, Wooton Construction, Ltd., and Smithfield Properties IV, and any documents demonstrating, which of the aforementioned companies had an ownership interest in the real property that is the subject of this lawsuit.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm.

Code 101.622(g) and 101802.

ENTER:



John T. Therriault, Assistant Clerk
Pollution Control Board

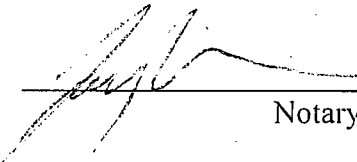
Date: April 26, 2011

I served this subpoena duces tecum by mailing a copy to William H. Smith, 400 W. Huron, Chicago, Illinois 60654, and Kevin B. Hynes, 30 N. LaSalle Street, Suite 4100, Chicago, Illinois 60602 on April 26, 2011.

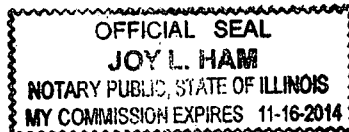


STEPHEN J. SYLVESTER
Assistant Attorney General
Illinois Attorney General's Office
Environmental Bureau North
69 W. Washington Street, Suite 1800
Chicago, IL 60602

Subscribed and sworn to before me this 26th day of April, 2011.



Notary Public



CERTIFICATE OF SERVICE

I, STEPHEN J. SYLVESTER, an Assistant Attorney General in this case, do certify that I caused to be served this 6th day of May, 2011, the foregoing Notice of Filing Complainant's Subpoena Duces Tecum for the Deposition of Party Representative, William H. Smith upon the persons listed on said Notice by depositing same in an envelope, by first class postage prepaid, with the United States Postal Service at 100 West Randolph Street, Chicago, Illinois, at or before the hour of 5:00 p.m.


STEPHEN J. SYLVESTER