

IN THE CIRCUIT COURT OF THE TWENTY-FIRST JUDICIAL CIRCUIT
KANKAKEE COUNTY, ILLINOIS
CHANCERY DIVISION

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

v.)

No. 07 CH 303

TOWN & COUNTRY UTILITIES, INC.,)
a Maryland corporation, KANKAKEE)
REGIONAL LANDFILL, LLC, a limited liability)
company, EDWARD F. HEIL, an individual)
and THOMAS A. VOLINI, an individual and)
as President of Town & Country Utilities, Inc.)
)
Defendants.)

FILED
AUG 19 2010

Sander M. A. ...
CIRCUIT COURT CLERK

ORDER

THIS CAUSE coming on to be heard for oral arguments on Plaintiff's Motion to Compel Answers or Responses to Written Discovery filed April 13, 2010, the Defendant having Responded in writing and the Plaintiff having replied to Defendants' Response, all parties present in court on July 15, 2010 and the court being advised in the premises:

IT IS HEREBY ORDERED that Plaintiff's Motion to Compel Answers or responses to Written Discovery filed April 13, 2010 is granted to the extent that:

1. Discovery is stayed for personal financial information of Thomas A. Volini which is not relevant to the liability at issue in this matter until a determination of liability is adjudged.
2. By September 13, 2010, Defendants shall provide to the Plaintiff, for the time period 2000 through the present, the following documents identified in Plaintiff's 201k letters to Defendants relating to work at the Site (as described in the Plaintiff's Complaint for Injunctive Relief and Civil Penalties filed June 27, 2007 ("Complaint")):

- Provide all documents including but not limited to notes, logs, work orders, reports, contracts, financial accounts and related documents and correspondence that were withheld under the claim of trade secrets and privileged information;
- Provide any permits provided by the Illinois EPA for the Site as described in the Complaint;
- Provide any permits issued by the Illinois Department of Natural Resources for the Site as described in the Complaint;
- Identify any and all permit applications or other plans Defendants submitted to any government agency for approval including, but not limited to, the Illinois EPA, Kankakee County and City of Kankakee, from 2000 to the present date for the Site. Identify the date of each submission, the name of the entity submitting the request, the nature of the submission's request, whether each submission was issued or denied, whether the government agency requested additional information, Defendants' responses to any government agency's request for additional information and the date on which the government agency issued or denied any permits or approved any plans;
- Provide any and all documents that show Mr. Volini's ownership or financial interest in Town & Country, KRL and its affiliates not previously provided to Plaintiff including, but not limited to Articles of Incorporation, Bylaws, partnership agreements, contracts, and stock certificates;
- Identify each person who directed or was authorized by any of the Defendants to direct the transportation of material to the Site or to manage the material at the Site on behalf of Town & Country and KRL. State each person's name, address, telephone number, relationship to Town & Country and KRL and his/her duties and responsibilities relating to same;
- Provide all documents related to assets owned by Town & Country Utilities, Inc. or Thomas Volini from 2000 through the present date, that were utilized during work at the Site from 2004 through August 2007, including financial accounts, vehicles and equipment and all assets owned individually or jointly with any member of their immediate family. If Defendants no longer own those assets, provide all documents related to the transfer or sale of the asset(s) and that indicate how that asset was transferred or sold, the person the asset was transferred or sold to, and the amount of money or other consideration received by Defendants for the transferred or sold asset. Documents shall include all items listed in the

definition of the term "document" in the "Definitions" section of the Plaintiff's production request and, in addition, bills of sale, purchase orders, receipts, invoices, deeds, titles, and contracts;

- Provide all documents related to Defendants' accounts held at financial institutions, including Town & Country Utilities, Inc. and Thomas Volini, which were utilized to fund work at the Site. Said accounts shall include but not be limited to banks, savings and loans, trust companies, credit unions, mutual fund companies, and brokerage companies, where Defendants held assets. Said documents of relevant accounts including, but not limited to, deposit and withdrawal slips, electronic transfer notices, checks, direct deposit notices, and monthly and annual account statements;
- Provide all and any relevant documents that were originally requested by Plaintiff's First Set of Requests for Production of Documents for the time period from 2000 through the present and that may have not yet been produced by Town & Country Utilities, Inc. and Thomas A. Volini due to a lack of investigation of Volini's secretary's files.

ENTERED:



Judge

Nancy J. Tikalsky, AAG
Office of the Illinois Attorney General
69 W. Washington St., Suite 1800
Chicago, IL 60602
312.814.8567