

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

US EPA RECORDS CENTER REGION 5



515618

931698

UNITED STATES OF AMERICA,

Plaintiff,

and

STATE OF MINNESOTA, by its  
Attorney General Hubert H. Humphrey, III,  
its Department of Health, and its  
Pollution Control Agency,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION;  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF ST. LOUIS PARK; OAK PARK VILLAGE  
ASSOCIATES; RUSTIC OAKS CONDOMINIUM  
INC.; and PHILIP'S INVESTMENT CO.,

Defendants.

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

Civil No. 4-80-469

NOTICE OF TAKING  
ORAL DEPOSITION

TO: James M. Rosenbaum, United States Attorney, Francis X. Hermann, Assistant United States Attorney, 110 S. 4th Street, Minneapolis, Minnesota 55401, and Erica L. Dolgin and David Hird, Attorneys, Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530; and Robert E. Leininger, Enforcement Attorney, Environmental Protection Agency, Region V, 230 S. Dearborn, Chicago, Illinois, 60604, attorneys for Plaintiff, United States of America; and

Edward J. Schwartzbauer, Becky Comstock, Michael J. Wahoske, and Dorsey & Whitney, 2200 First Bank Place East, Minneapolis, Minnesota 55402, attorneys for Defendant Reilly Tar & Chemical Corporation; and

Wayne G. Popham, Allen Hinderaker, and Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minnesota 55402, attorneys for Plaintiff-Intervenor, City of St. Louis Park and Defendant, Housing and Redevelopment Authority of St. Louis Park, Minnesota; and

Joseph C. Vesely, Vesely, Otto, Miller & Keefe PA, Suite 203, Northwestern Bank Building, Hopkins, MN 55343, attorney for Plaintiff-Intervenor, City of Hopkins; and

Laurence A. Waldoch, Lindquist & Vennum, IDS Center, 80 South Eighth Street, Minneapolis, Minnesota 55402, attorney for Defendant, Oak Park Village Associates; and

James T. Swenson, Mackall, Crouse & Moore, 1600 TCF Tower, Minneapolis, Minnesota 55402, attorney for T.C.F. Service Corporation, successor in interest to Defendant, Rustic Oaks Condominium, Inc.; and

Thomas W. Wexler, Peterson, Engberg & Peterson, 700 Title Insurance Building, Minneapolis, Minnesota 55401, attorney for Defendant Philip's Investment Company.

PLEASE TAKE NOTICE that at 9:00 a.m. on Wednesday, March 16, 1983, at the Board Room of the Minnesota Pollution Control Agency, 1935 West County Road B-2, Roseville, Minnesota, the deposition of Thomas Renner will be taken.

This deposition will be taken upon oral examination, before a Notary Public, or before some other officer authorized by law to take depositions. The oral examination will continue from day to day until completed.

Dated: February 24, 1983.

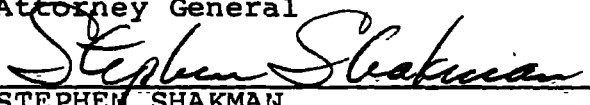
Respectfully submitted

HUBERT H. HUMPHREY, III  
Attorney General  
State of Minnesota

PAUL G. ZERBY  
Special Assistant  
Attorney General

DENNIS M. COYNE  
Special Assistant  
Attorney General

BY:

  
STEPHEN SHAKMAN  
Special Assistant  
Attorney General

ATTORNEYS FOR THE  
STATE OF MINNESOTA  
1935 West County Road B2  
Roseville, Minnesota 55113  
Tel. (612) 296-7342



# STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

HUBERT H. HUMPHREY, III  
ATTORNEY GENERAL

ST. PAUL 55155

ADDRESS REPLY TO  
ATTORNEY GENERAL'S OFFICE  
POLLUTION CONTROL DIVISION  
1935 WEST COUNTY ROAD B-2  
ROSEVILLE, MN 55113  
TELEPHONE (612) 296-7342

February 24, 1983

James M. Rosenbaum  
United States Attorney  
Francis X. Hermann  
Assistant United States Attorney  
110 S. 4th Street  
Minneapolis, Minnesota 55401

Erica L. Dolgin  
David Hird  
Environmental Enforcement Section  
Land and Natural Resources Division  
Department of Justice  
Washington, D.C. 20530

Robert E. Leininger  
Enforcement Attorney  
Environmental Protection Agency  
Region V  
230 S. Dearborn  
Chicago, Illinois 60604

Laurence A. Waldoch  
Lindquist & Venum  
IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402

James T. Swenson  
Mackall, Crouse & Moore  
1600 TCF Tower  
Minneapolis, Minnesota 55402

Edward J. Schwartzbauer  
Becky Comstock  
Michael J. Wahoske  
Dorsey & Whitney  
2200 First Bank Place East  
Minneapolis, Minnesota 55402

Wayne G. Popham  
Allen Hinderaker  
Popham, Haik, Schnobrich,  
Kaufman & Doty, Ltd.  
4344 IDS Center  
Minneapolis, Minnesota 55402

Joseph C. Vesely  
Vesely, Otto, Miller & Keefe PA.  
Suite 203,  
Northwestern Bank Building  
Hopkins, MN 55343

Thomas W. Wexler  
Peterson, Engberg & Peterson  
700 Title Insurance Building  
Minneapolis, Minnesota 55401

Re: U.S. v. Reilly Tar & Chemical Corp.  
File No. Civ. 4-80-469

Dear Counsel:

Enclosed and served upon you by United States Mail are notices of depositions for William R. Roder and Thomas Renner.

AN EQUAL OPPORTUNITY EMPLOYER



Please be advised that the deposition of Richard Hennessy will resume at 9:00 o'clock a.m., March 7, 1983, at the United States Attorneys Office, 46 E. Ohio Street, Indianapolis, Indiana, and that the deposition of Harold R. Horner has been rescheduled to 9:00 o'clock a.m., March 8, 1983 at the same location.

Very truly yours,



STEPHEN SHAKMAN  
Special Assistant  
Attorney General

SS:mah

Enclosure

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

and

STATE OF MINNESOTA, by its  
Attorney General Hubert H. Humphrey, III,  
its Department of Health, and its  
Pollution Control Agency,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION;  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF ST. LOUIS PARK; OAK PARK VILLAGE  
ASSOCIATES; RUSTIC OAKS CONDOMINIUM  
INC.; and PHILIP'S INVESTMENT CO.,

Defendants.

NOTICE OF TAKING  
ORAL DEPOSITION

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

Civil No. 4-80-469

TO: James M. Rosenbaum, United States Attorney, Francis X. Hermann, Assistant United States Attorney, 110 S. 4th Street, Minneapolis, Minnesota 55401, and Erica L. Dolgin and David Hird, Attorneys, Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530; and Robert E. Leininger, Enforcement Attorney, Environmental Protection Agency, Region V, 230 S. Dearborn, Chicago, Illinois, 60604, attorneys for Plaintiff, United States of America; and

Edward J. Schwartzbauer, Becky Comstock, Michael J. Wahoske, and Dorsey & Whitney, 2200 First Bank Place East, Minneapolis, Minnesota 55402, attorneys for Defendant Reilly Tar & Chemical Corporation; and

Wayne G. Popham, Allen Hinderaker, and Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minnesota 55402, attorneys for Plaintiff-Intervenor, City of St. Louis Park and Defendant, Housing and Redevelopment Authority of St. Louis Park, Minnesota; and

Joseph C. Vesely, Vesely, Otto, Miller & Keefe PA, Suite 203, Northwestern Bank Building, Hopkins, MN 55343, attorney for Plaintiff-Intervenor, City of Hopkins; and

Laurence A. Waldoch, Lindquist & Vennum, IDS Center, 80 South Eighth Street, Minneapolis, Minnesota 55402, attorney for Defendant, Oak Park Village Associates; and

James T. Swenson, Mackall, Crouse & Moore, 1600 TCF Tower, Minneapolis, Minnesota 55402, attorney for T.C.F. Service Corporation, successor in interest to Defendant, Rustic Oaks Condominium, Inc.; and

Thomas W. Wexler, Peterson, Engberg & Peterson, 700 Title Insurance Building, Minneapolis, Minnesota 55401, attorney for Defendant Philip's Investment Company.

PLEASE TAKE NOTICE that at 2:00 p.m. on Wednesday, March 9, 1983, at the United States Attorney's Office, 46 East Ohio Street, Indianapolis, Indiana, the deposition of William R. Roder will be taken.

This deposition will be taken upon oral examination, before a Notary Public, or before some other officer authorized by law to take depositions. The oral examination will continue from day to day until completed.

Dated: February 24, 1983.

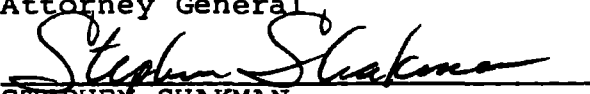
Respectfully submitted

HUBERT H. HUMPHREY, III  
Attorney General  
State of Minnesota

PAUL G. ZERBY  
Special Assistant  
Attorney General

DENNIS M. COYNE  
Special Assistant  
Attorney General

BY:

  
STEPHEN SHAKMAN  
Special Assistant  
Attorney General

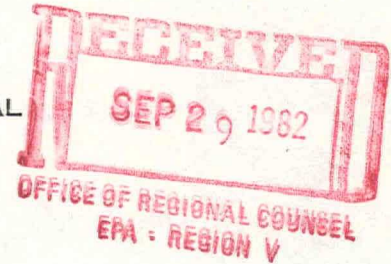
ATTORNEYS FOR THE  
STATE OF MINNESOTA  
1935 West County Road B2  
Roseville, Minnesota 55113  
Tel. (612) 296-7342





STATE OF MINNESOTA  
OFFICE OF THE ATTORNEY GENERAL

ADDRESS REPLY TO:  
OFFICE OF THE ATTORNEY GENERAL  
MINNESOTA POLLUTION CONTROL AGENCY  
1935 W. COUNTY ROAD B2  
ROSEVILLE, MINNESOTA 55113  
(612) 296-7342



Sesptember 27, 1982

Francis X. Hermann  
Assistant U.S. Attorney  
110 South 4th Street, Room 234  
Minneapolis, MN 55401

Erica Dolgin  
Room 1507  
Environmental Enforcement Division  
Land and Natural Resources Div.  
U.S. Department of Justice  
Washington, D.C. 20530

Wayne G. Popham  
Popham, Haik, Schnobrich,  
Kaufman & Doty, Ltd.  
4344 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402

Edward Schwartzbauer  
Dorsey, & Whitney  
2200 First Bank Place E.  
Minneapolis, MN 55402

Bob Leininger  
Enforcement  
EPA - Region V  
230 S. Dearborn St.  
Chicago, Illinois 60604

Joseph C. Vesely  
Vesely, Otto, Miller  
& Keefe P.A.  
Suite 203  
Northwestern Bank Bldg.  
Hopkins, MN 55343

James T. Swenson  
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1600 TCF Tower  
Minneapolis, MN 55402

Laurence A. Waldoch  
Lindquist & Vennum  
IDS Center  
80 South 8th Street  
Minneapolis, MN 55402

Thomas W. Wexler  
Peterson, Engberg &  
Peterson  
700 Title Insurance  
Minneapolis, MN 55402

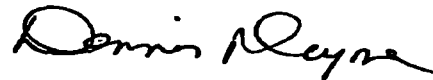
Re: United States v. Reilly Tar & Chemical Corporation, et al.

Dear Counsel:

The deposition of Herbert C. Finch will continue on  
Wednesday, September 29, 1982 at 9:30 a.m., in the basement

conference room located at the Minnesota Pollution Control Agency,  
1935 West County Road B-2, Roseville, Minnesota.

Very truly yours,



DENNIS M. COYNE  
Special Assistant  
Attorney General

DMC:mah



UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

and

STATE OF MINNESOTA, by its  
Attorney General Warren Spannaus,  
its Department of Health, and its  
Pollution Control Agency,

Civil No. 4-80-469

NOTICE OF TAKING ORAL  
DEPOSITION

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION;  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF ST. LOUIS PARK; OAK PARK VILLAGE  
ASSOCIATES; RUSTIC OAKS CONDOMINIUM  
INC.; and PHILIP'S INVESTMENT CO.,

Defendants.

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

TO: James M. Rosenbaum, United States Attorney, Francis X.  
Hermann, Assistant United States Attorney, 110 S. 4th Street,  
Minneapolis, Minnesota 55401, and Erica L. Dolgin, Attorney,  
Environmental Enforcement Section, Land and Natural Resources  
Division, Department of Justice, Washington, D.C. 20530,  
attorneys for Plaintiff, United States of America; and

Edward J. Schwartzbauer, William J. Keppel, and Dorsey,  
Windhorst, Hannaford, Whitney & Halladay, 2300 First National  
Bank Building, Minneapolis, Minnesota 55402, attorneys for  
Defendant Reilly Tar & Chemical Corporation; and

Wayne G. Popham, Allen Hinderaker, and Popham, Haik,  
Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center,  
Minneapolis, Minnesota 55402, attorneys for  
Plaintiff-Intervenor, City of St. Louis Park and Defendant,  
Housing and Redevelopment Authority of St. Louis Park,  
Minnesota; and

Joseph C. Vesely, Vesely, Otto, Miller & Keefe PA, Suite 203, Northwestern Bank Building, Hopkins, MN 55343, attorney for Plaintiff-Intervenor, City of Hopkins; and

Laurence A. Waldoch, Lindquist & Vennum, IDS Center, 80 South Eighth Street, Minneapolis, Minneosta 55402, attorney for Defendant, Oak Park Village Associates; and

James T. Swenson, Mackall, Crouse & Moore, 1600 TCF Tower, Minneapolis, Minneosta 55402, attorney for T.C.F. Service Corporation, successor in interest to Defendant, Rustic Oaks Condominium, Inc.; and

Thomas W. Wexler, Peterson, Engberg & Peterson, 700 Title Insurance Building, Minneapolis, Minnesota 55401, attorney for Defendant Philip's Investment Company.

PLEASE TAKE NOTICE that the Plaintiff-Intervenor, State of Minnesota will take depositions as follows:

At 9:00 o'clock a.m. on the 11th day of October, 1982, at the Offices of Reilly Tar and Chemical Corporation, 1510 Market Square Center, 151 North Delaware Street, Indianapolis, Indiana 46206, the deposition of C.F. Leshar will be taken.

At 9:00 o'clock a.m. on the 12th day of October, 1982, at the Office of the United States Attorney, United States Courthouse, 46 East Ohio Street, Indianapolis, Indiana 46204, the deposition of W.A. Justin will be taken.

These depositions will be taken upon oral examination, before a Notary Public, or before some other officer authorized by law to take depositions. The oral examinations will continue from day to day until completed.

Dated: September 3, 1982.


Respectfully submitted

WARREN SPANNAUS  
Attorney General  
State of Minneosta

WILLIAM P. DONOHUE  
Special Assistant  
Attorney General

PAUL G. ZERBY  
Special Assistant  
Attorney General

STEPHEN SHAKMAN  
Special Assistant  
Attorney General

BY:   
DENNIS M. COYNE  
Special Assistant  
Attorney General

ATTORNEYS FOR THE  
STATE OF MINNEOSTA  
1935 West County Road B2  
Roseville, Minnesota 55113  
Tel. (612) 296-7342



STATE OF MINNESOTA  
OFFICE OF THE ATTORNEY GENERAL  
ST. PAUL 55155

WARREN SPANNAUS  
ATTORNEY GENERAL

ADDRESS REPLY TO  
ATTORNEY GENERAL'S OFFICE  
POLLUTION CONTROL DIVISION  
1935 WEST COUNTY ROAD B-2  
ROSEVILLE, MN 55113  
TELEPHONE (612) 296-7342

August 23, 1982

Francis X. Hermann  
Assistant U.S. Attorney  
110 S. 4th Street, Room 234  
Minneapolis, MN 55401

Erica Dolgin  
Room 1507  
Environmental Enforcement Section  
Land and Natural Resources Div.  
U.S. Department of Justice  
Washington, D.C. 20530

Wayne G. Popham  
Popham, Haik, Schnobrich,  
Kaufman & Doty, Ltd.  
4344 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402

Edward Schwartzbauer  
Dorsey, Windhorst, Hannaford,  
Whitney & Halladay  
2200 First Bank Place  
Minneapolis, MN 55402

Bob Leininger  
Enforcement  
EPA - Region V  
230 S. Dearborn St.  
Chicago, Illinois 60604

Joseph C. Vesely  
Vesely, Otto, Miller  
& Keefe PA  
Suite 203  
Northwestern Bank Bldg.  
Hopkins, MN 55343

James T. Swenson  
Mackall, Crouse & Moore  
1600 TCF Tower  
Minneapolis, MN 55402

Laurence A. Waldoch  
Lindquest & Vennum  
IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402

Thomas W. Wexler  
Peterson, Engberg &  
Peterson  
700 Title Insurance Bldg.  
Minneapolis, MN 55401

Re: United States v. Reilly Tar & Chemical Corporation, et al.  
Civ. File No. 4-80-469

Dear Counsel:

The deposition of Herbert C. Finch will continue on Thursday,  
September 16, 1982, at 9:30 a.m., in the basement conference room

located at the Minnesota Pollution Control Agency, 1935 West  
County Road B-2, Roseville, Minnesota.

Very truly yours,



DENNIS M. COYNE  
Special Assistant  
Attorney General

DMC/ps

RECEIVED  
AUG 27 1982  
OFFICE OF THE  
DIRECTOR OF  
GENERAL INVESTIGATIVE  
DIVISION

FXH

**DORSEY & WHITNEY** RECEIVED

A Partnership Including Professional Corporations

2200 FIRST BANK PLACE EAST  
MINNEAPOLIS, MINNESOTA 55402  
(612) 340-2600

TELEX: 29-0605  
TELECOPIER: (612) 340-2868

AUG 18 9 12 AM '82

U.S. ATTORNEY  
DIST. OF MINN.

201 DAVIDSON BUILDING  
8 THIRD STREET NORTH  
GREAT FALLS, MONTANA 59401  
(406) 727-3632

SUITE 675 NORTH  
1800 M STREET N W  
WASHINGTON, D C 20036  
(202) 296-2780

30 RUE LA BOETIE  
75008 PARIS, FRANCE  
TEL (1) 562 32 50

880 WEST-FIRST NATIONAL BANK BUILDING  
ST PAUL, MINNESOTA 55101  
(612) 227-8017

P O BOX 848  
340 FIRST NATIONAL BANK BUILDING  
ROCHESTER, MINNESOTA 55903  
(507) 288-3156

312 FIRST NATIONAL BANK BUILDING  
WAYZATA, MINNESOTA 55391  
(612) 475-0373

**EDWARD J. SCHWARTZBAUER**  
(612) 340-2825

August 17, 1982

Francis X. Hermann  
Assistant U.S. Attorney  
110 South Fourth Street  
Minneapolis, Minnesota 55401

Erica L. Dolgin  
Room 1507  
Environmental Enforcement Section  
Land & Natural Resources Division  
U.S. Department of Justice  
Washington, D.C. 20530

Stephen Shakman  
Minnesota Pollution Control Agency  
1935 W. County Road B2  
Roseville, Minnesota 55113

Allen Hinderaker, Esq.  
Popham, Haik, Schnobrich,  
Kaufman & Doty, Ltd.  
4344 IDS Center  
Minneapolis, Minnesota 55402

Joseph C. Vesely  
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Mackall, Crouse & Moore  
1600 TCF Tower  
Minneapolis, Minnesota 55402

Thomas W. Wexler  
Peterson, Engberg & Peterson  
700 Title Insurance Building  
Minneapolis, Minnesota 55401

Re: U.S.A. v. Reilly Tar & Chemical Corporation, et al.  
Civ. File No. 4-80-469

Dear Counsel:

Enclosed herewith and served upon you by mail is a Notice of Deposition, together with an Affidavit of Mailing, in the above-referenced matter.

Yours very truly,

*Edward J. Schwartzbauer*  
Edward J. Schwartzbauer

EJS:ml  
Enclosure



UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

Civil No. 4-80-469

and

STATE OF MINNESOTA, by its  
Attorney General Warren Spannaus,  
its Department of Health, and  
its Pollution Control Agency,

Plaintiff-Intervenor,

v.

NOTICE OF DEPOSITION

REILLY TAR & CHEMICAL CORPORATION;  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF ST. LOUIS PARK; OAK PARK VILLAGE  
ASSOCIATES; RUSTIC OAKS CONDOMINIUM  
INC.; and PHILIP'S INVESTMENT CO.,

Defendants.

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

TO: James M. Rosenbaum, United States Attorney, Francis X.  
Hermann, Assistant United States Attorney, 110 South 4th  
Street, Minneapolis, Minnesota 55401, and Erica L. Dolgin,  
Attorney, Environmental Enforcement Section, Land and  
Natural Resources Division, Department of Justice,  
Washington, D.C. 20530, attorneys for Plaintiff, United  
States of America; and

Warren Spannaus, Attorney General, State of Minnesota,  
William P. Donohue, Special Assistant Attorney General,  
Paul G. Zerby, Special Assistant Attorney General, Dennis  
M. Coyne, Special Assistant Attorney General and Stephen  
Shakman, Special Assistant Attorney General, 1935 W.  
County Road B2, Roseville, Minnesota 55113, attorneys for  
Plaintiff-Intervenor, State of Minnesota; and

Wayne G. Popham, Allen Hinderaker and Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minnesota 55402, attorneys for Plaintiff-Intervenor, City of St. Louis Park and Defendant, Housing and Redevelopment Authority of St. Louis Park, Minnesota, and

Joseph C. Vesely, Vesely, Otto, Miller & Keefe, P.A., Suite 203, Northwestern Bank Building, Hopkins, Minnesota 55343, attorney for Plaintiff-Intervenor, City of Hopkins; and

Laurance R. Waldoch, Lindquist & Vennum, 4200 IDS Center, 80 South Eighth Street, Minneapolis, Minnesota 55402, attorney for Defendant, Oak Park Village Associates; and

James T. Swenson, Mackall, Crouse & Moore, 1600 TCF Tower, Minneapolis, Minnesota 55402, attorney for T.C.F. Service Corporation, successor in interest to Defendant, Rustic Oaks Condominium, Inc.; and

Thomas W. Wexler, Peterson, Engberg & Peterson, 700 Title Insurance Building, Minneapolis, Minnesota 55401, attorney for Defendant Philip's Investment Company.

PLEASE TAKE NOTICE that the Defendant, Reilly Tar & Chemical Corporation, will take the following depositions, at 2200 First Bank Place East, Minneapolis, Minnesota, upon oral examination, before a Notary Public, or before some other officer authorized by law to take depositions. The oral examination will continue from day to day until completed.

Larry Anderson  
Pfeifer and Schultz Engineers  
5401 Gamble Drive  
Minneapolis, Minnesota

9:00 o'clock a.m.  
September 15, 1982

George Koonce  
Minnesota Pollution Control Agency  
1935 West County Road B2  
Roseville, Minnesota 55113

1:00 o'clock p.m.  
September 15, 1982

Dated: August 17, 1982.

DORSEY & WHITNEY

By Michael J. Wahoske  
Edward J. Schwartzbauer  
Ronald J. Brown  
Michael J. Wahoske  
2200 First Bank Place East  
Minneapolis, Minnesota 55402  
Telephone: (612) 340-2825/2879/8755

Attorneys for Defendant  
Reilly Tar & Chemical Corporation

STATE OF MINNESOTA)

) ss:  
COUNTY OF HENNEPIN)

AFFIDAVIT OF MAILING

Marilynn Latenville, being first duly sworn, on oath deposes and states that on the 17th day of August, 1982, she did deposit in the United States mails an envelope, properly sealed and with first class postage prepaid thereon, addressed to:

Francis X. Hermann  
Assistant U.S. Attorney  
110 South Fourth Street  
Minneapolis, MN 55401

Erica L. Dolgin  
Room 1507  
Environmental Enforcement Section  
Land and Natural Resources Division  
U.S. Department of Justice  
Washington, D.C. 20530

Stephen Shakman  
Minnesota Pollution Control Agency  
1935 W. County Road B2  
Roseville, Minnesota 55113

Allen Hinderaker  
Popham, Haik, Schnobrich,  
Kaufman & Doty  
4344 IDS Center  
Minneapolis, Minnesota 55402

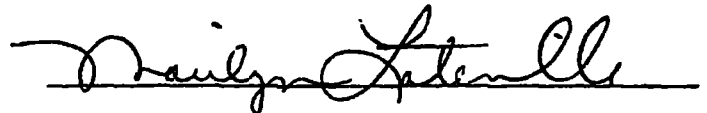
Joseph C. Vesely  
Vesely, Otto, Miller  
& Keefe, P.A.  
Suite 203  
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1600 TCF Tower  
Minneapolis, MN 55402

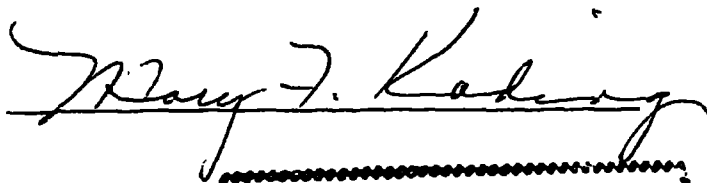
Thomas W. Wexler  
Peterson, Engberg & Peterson  
700 Title Insurance Building  
Minneapolis, Minnesota 55401

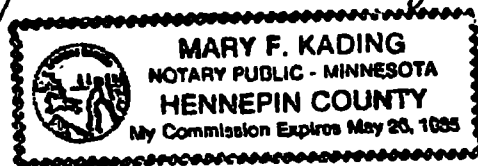
the last known address of said addressees, in which envelope she had first placed a true and correct copy of the attached Notice of Deposition.



Subscribed and sworn to before me

this 17th day of August, 1982.





OT

RECEIVED

AUG 24 1982

OFFICE OF PUBLIC AFFAIRS  
EPA - Kalamazoo, MI

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

UNITED STATES OF AMERICA,

Civil No. 4-80-469

Plaintiff,

and

STATE OF MINNESOTA, by its  
Attorney General Warren Spannaus,  
its Department of Health, and  
its Pollution Control Agency,

Plaintiff-Intervenor,

v.

NOTICE OF DEPOSITION

REILLY TAR & CHEMICAL CORPORATION;  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF ST. LOUIS PARK; OAK PARK VILLAGE  
ASSOCIATES; RUSTIC OAKS CONDOMINIUM  
INC.; and PHILIP'S INVESTMENT CO.,

Defendants.

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

TO: James M. Rosenbaum, United States Attorney, Francis X.  
Hermann, Assistant United States Attorney, 110 South 4th  
Street, Minneapolis, Minnesota 55401, and Erica L. Dolgin,  
Attorney, Environmental Enforcement Section, Land and  
Natural Resources Division, Department of Justice,  
Washington, D.C. 20530, attorneys for Plaintiff, United  
States of America; and

Warren Spannaus, Attorney General, State of Minnesota,  
William P. Donohue, Special Assistant Attorney General,  
Paul G. Zerby, Special Assistant Attorney General, Dennis  
M. Coyne, Special Assistant Attorney General and Stephen  
Shakman, Special Assistant Attorney General, 1935 W.  
County Road B2, Roseville, Minnesota 55113, attorneys for  
Plaintiff-Intervenor, State of Minnesota; and

Wayne G. Popham, Allen Hinderaker and Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minnesota 55402, attorneys for Plaintiff-Intervenor, City of St. Louis Park and Defendant, Housing and Redevelopment Authority of St. Louis Park, Minnesota; and

Joseph C. Vesely, Vesely, Otto, Miller & Keefe, P.A., Suite 203, Northwestern Bank Building, Hopkins, Minnesota 55343, attorney for Plaintiff-Intervenor, City of Hopkins; and

Laurance R. Waldoch, Lindquist & Vennum, 4200 IDS Center, 80 South Eighth Street, Minneapolis, Minnesota 55402, attorney for Defendant, Oak Park Village Associates; and

James T. Swenson, Mackall, Crouse & Moore, 1600 TCF Tower, Minneapolis, Minnesota 55402, attorney for T.C.F. Service Corporation, successor in interest to Defendant, Rustic Oaks Condominium, Inc.; and

Thomas W. Wexler, Peterson, Engberg & Peterson, 700 Title Insurance Building, Minneapolis, Minnesota 55401, attorney for Defendant Philip's Investment Company.

PLEASE TAKE NOTICE that the Defendant, Reilly Tar & Chemical Corporation, will take the following depositions, at 2200 First Bank Place East, Minneapolis, Minnesota, upon oral examination, before a Notary Public, or before some other officer authorized by law to take depositions. The oral examination will continue from day to day until completed.

NON-RESPONSIVE

9:30 o'clock a.m.  
August 24, 1982

Eugene A. Hickok and  
Associates  
545 Indian Mound  
Wayzata, Minnesota  
(by a person designated  
pursuant to F.R.C.P.  
30(b)(6) who has knowl-  
edge concerning the con-  
tents of the Report en-  
titled "Study of Ground-  
water Contamination in  
St. Louis Park, Minnesota,  
November 1981

10:30 o'clock a.m.  
August 24, 1982

NON-RESPONSIVE

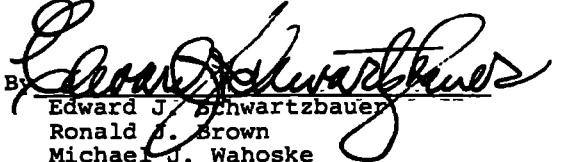
9:30 o'clock a.m.  
August 25, 1982

NON-RESPONSIVE

9:30 o'clock a.m.  
August 26, 1982

Dated: July 8, 1982.

DORSEY & WHITNEY

By 

Edward J. Schwartzbauer  
Ronald J. Brown  
Michael J. Wahoske  
2200 First Bank Place East  
Minneapolis, Minnesota 55402  
Telephone: (612) 340-2825/2879/8755

Attorneys for Defendant  
Reilly Tar & Chemical Corporation

STATE OF MINNESOTA)  
 ) SS.  
COUNTY OF HENNEPIN)

AFFIDAVIT OF MAILING

Marilynn Latenville, being first duly sworn, on oath deposes and states that on the 8th day of July, 1982, she did deposit in the United States mails an envelope, properly sealed and with first class postage prepaid thereon, addressed to:

Francis X. Hermann  
Assistant U.S. Attorney  
110 South Fourth Street  
Minneapolis, MN 55401

Joseph C. Vesely  
Vesely, Otto, Miller & Keefe, P.A.  
Suite 203  
Northwestern Bank Building  
Hopkins, Minnesota 55343

Erica L. Dolgin  
Room 1507  
Environmental Enforcement Section  
Land and Natural Resources Division  
U.S. Department of Justice  
Washington, D.C. 20530

Laurance R. Waldoch  
Lindquist & Vennum  
4200 IDS Center  
80 South Eight Street  
Minneapolis, MN 55402

Stephen Shakman  
Minnesota Pollution Control Agency  
1935 W. County Road B2  
Roseville, Minnesota 55113

James T. Swenson  
Mackall, Crouse & Moore  
1600 TCF Tower  
Minneapolis, Minnesota 55402

Wayne G. Popham  
Popham, Haik, Schnobrich,  
Kaufman & Doty  
4344 IDS Center  
Minneapolis, Minnesota 55402

Thomas W. Wexler  
Peterson, Engberg & Peterson  
700 Title Insurance Building  
Minneapolis, Minnesota 55401

the last known address of said addressees, in which envelope she had first placed a true and correct copy of the attached Notice of Deposition.

*Marilynn Latenville*

Subscribed and sworn to before me  
this 8th day of July, 1982.

*Mary F. Kadung*





REC'D  
JUL 22 1982  
OFFICE OF RECORDS MANAGEMENT  
FBI - BOSTON

FXH

DORSEY, WINDHORST, HANNAFORD, WHITNEY & HALLADAY

2200 FIRST BANK PLACE EAST  
MINNEAPOLIS, MINNESOTA 55402

(612) 340-2600

CABLE: DOROW

TELEX: 29-0605

TELECOPIER: (612) 340-2868

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U.S. ATTORNEY  
DIST. OF MINN.

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HORACE HITCH  
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ROGER J. MAGNUSON  
PETER S. HENDRIXSON  
JAY F. COOK  
STANLEY M. REIN  
CHARLES L. POTUZNIK  
VERLANE L. ENDORF

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8 THIRD STREET NORTH  
GREAT FALLS, MONTANA 59401  
(406) 727-3632

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1200 18TH STREET N.W.  
WASHINGTON, D.C. 20036  
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312 FIRST NATIONAL BANK BUILDING  
WAYZATA, MINNESOTA 55391  
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TEL: (1) 562 32 50

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BARRY D. GLAZER  
IRVING WEISER  
STEPHENE E. GOTTSCHALK  
KENNETH L. CUTLER  
OWEN C. MARK  
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W. CHARLES LANTZ  
J. MARCOUS EASTWOOD  
EDWARD J. PLUMER  
J. ROBERT HIBBS  
BRUCE W. BURTON  
SUZANNE B. VAN DYK  
STEVEN F. WOLGAMOT  
JAMES E. BOWLUS  
THOMAS D. VANDERMOLEN  
MARK A. JARBOE  
PAUL B. KLAAS  
MARGERY K. OTTO  
RONALD J. BROWN  
CATHERINE A. BARTLETT  
DAVID J. LUBBEN  
BRUCE J. SHNIDER  
GEORGE G. ECK  
BARBARA B. FARRELL  
MARRIANE D. SHORT  
MICHAEL E. REESLUND  
ELIZABETH A. GOODMAN  
MARRIANE E. DURKIN  
ROBERT J. DWYER, JR.  
BRIAN E. PALMER  
JEROME P. GILLIGAN  
DIANE D. MALFELD  
WILLIAM J. BERENS  
JAMES D. ALT  
JOEL W. LAVINTMAN  
JEFFREY W. SOGARD\*

MARILYN J. JUSTMAN  
TIMOTHY J. CARLIN  
BARBARA J. MADDON  
JOSEPH R. LIESCH  
JOHN H. LINDSTROM  
CRAIG D. DIVINEY  
THOMAS E. POPOVICH  
SUSAN J. THOMPSON  
PHILIP M. CHEN  
JOHN T. KRAMER  
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STEPHEN P. KELLEY  
PAMELA A. FERGEN  
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GARY L. BRISBIN  
RANDALL B. OHM  
JAMES R. DORAN  
REGINA C. WILLIAMS-ROTAR  
JAMES B. LYNCH  
KEVIN W. ROUSE  
DANIEL P. O'KEEFE  
CHARLES L. SWEERIS  
MICHAEL J. WAHOSKE  
LORI-LEAN GILLE  
DONALD M. ANJUNDSON  
ROY A. GINSBURG  
  
\*OF COUNSEL  
WALDO F. MARQUART  
JOHN F. FINN  
LEWIS L. ANDERSON  
RUDOLPH E. LOW  
  
\*ADMITTED IN MONTANA

July 8, 1982

Francis X. Hermann  
Assistant U.S. Attorney  
110 South Fourth Street  
Minneapolis, MN 55401

Erica L. Dolgin  
Room 1507  
Environmental Enforcement Section  
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Re: U.S.A. v. Reilly Tar & Chemical Corporation, et al.  
Civil File No. 4-80-469

Dear Counsel:

Enclosed is the Notice of Deposition, together with  
Affidavit of Mailing, in the above-referenced matter.

Yours very truly,

*E. Schwartzbauer*  
Edward J. Schwartzbauer

EJS:ml  
Enclosure

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

UNITED STATES OF AMERICA,

Civil No. 4-80-469

Plaintiff,

and

STATE OF MINNESOTA, by its  
Attorney General Warren Spannaus,  
its Department of Health, and  
its Pollution Control Agency,

Plaintiff-Intervenor,

v.

NOTICE OF DEPOSITION

REILLY TAR & CHEMICAL CORPORATION;  
HOUSING AND REDEVELOPMENT AUTHORITY  
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TO: James M. Rosenbaum, United States Attorney, Francis X.  
Hermann, Assistant United States Attorney, 110 South 4th  
Street, Minneapolis, Minnesota 55401, and Erica L. Dolgin,  
Attorney, Environmental Enforcement Section, Land and  
Natural Resources Division, Department of Justice,  
Washington, D.C. 20530, attorneys for Plaintiff, United  
States of America; and

Warren Spannaus, Attorney General, State of Minnesota,  
William P. Donohue, Special Assistant Attorney General,  
Paul G. Zerby, Special Assistant Attorney General, Dennis  
M. Coyne, Special Assistant Attorney General and Stephen  
Shakman, Special Assistant Attorney General, 1935 W.  
County Road B2, Roseville, Minnesota 55113, attorneys for  
Plaintiff-Intervenor, State of Minnesota; and

Wayne G. Popham, Allen Hinderaker and Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minnesota 55402, attorneys for Plaintiff-Intervenor, City of St. Louis Park and Defendant, Housing and Redevelopment Authority of St. Louis Park, Minnesota; and

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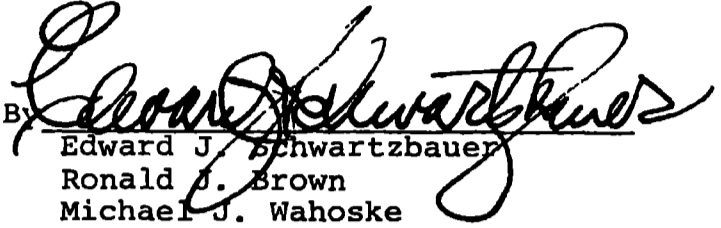
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August 26, 1982

Dated: July 8, 1982.

DORSEY & WHITNEY

By 

Edward J. Schwartzbauer  
Ronald J. Brown  
Michael J. Wahoske  
2200 First Bank Place East  
Minneapolis, Minnesota 55402  
Telephone: (612) 340-2825/2879/8755

Attorneys for Defendant  
Reilly Tar & Chemical Corporation



**RECEIVED**  
JUL 15 1982  
U.S. DEPARTMENT OF JUSTICE  
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