

**IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT OF ILLINOIS
MADISON COUNTY**

HOLIDAY SHORES SANITARY DISTRICT,)
Individually and on behalf of all others)
Similarly situated,)
)
Plaintiff,)
)
v.)
)
SYNGENTA CROP PROTECTION, INC., and)
GROWMARK, INC.,)
)
Defendants.)

Case No. 2004-L-000710

**DEFENDANT'S FIRST REQUESTS
FOR ADMISSION DIRECTED TO PLAINTIFF**

Pursuant to Illinois Supreme Court Rule 216, Defendant, Syngenta Crop Protection, Inc., by its attorneys, hereby requests Plaintiff Holiday Shores Sanitary District to produce sworn responses to the following Requests no later than twenty-eight (28) days after service of these Requests. These Requests are to be answered in accordance with the following definitions, and these definitions are hereby incorporated by reference into each Request.

DEFINITIONS

As used in these Requests, the following terms shall have the following meanings:

1. "Atrazine," whether singular or plural, shall mean technical grade atrazine and/or commercial grade atrazine, atrazine-containing products (where atrazine is intended as an active ingredient), and the degradation products of atrazine, deethylatrazine, deisopropylatrazine and diaminoatrazine.
2. "You," "your," "yours," and/or "HSSD" means Holiday Shores Sanitary District and any of its employees, officers, directors, agents, attorneys, predecessors and representatives.

REQUESTS TO ADMIT

1. Admit, for each of the years set forth below, that HSSD used powdered activated carbon ("PAC") to reduce the amount of atrazine in its raw or finished water:

- | | | | | | | | |
|----|------|----|------|----|------|----|------|
| A) | 1992 | B) | 1993 | C) | 1994 | D) | 1995 |
| E) | 1996 | F) | 1997 | G) | 1998 | H) | 1999 |
| I) | 2000 | J) | 2001 | K) | 2002 | L) | 2003 |
| M) | 2004 | N) | 2005 | O) | 2006 | P) | 2007 |
| Q) | 2008 | R) | 2009 | | | | |

RESPONSE:

2. Admit, for each of the years set forth below, that HSSD used PAC for a purpose(s) other than for, or in addition to, atrazine removal:

- | | | | | | | | |
|----|------|----|------|----|------|----|------|
| A) | 1992 | B) | 1993 | C) | 1994 | D) | 1995 |
| E) | 1996 | F) | 1997 | G) | 1998 | H) | 1999 |
| I) | 2000 | J) | 2001 | K) | 2002 | L) | 2003 |
| M) | 2004 | N) | 2005 | O) | 2006 | P) | 2007 |
| Q) | 2008 | R) | 2009 | | | | |

RESPONSE:

3. Admit, for each of the years set forth below, that HSSD used granular activated carbon ("GAC") for a purpose(s) other than for, or in addition to, atrazine removal:

- | | | | | | | | |
|----|------|----|------|----|------|----|------|
| A) | 1992 | B) | 1993 | C) | 1994 | D) | 1995 |
| E) | 1996 | F) | 1997 | G) | 1998 | H) | 1999 |

- I) 2000 J) 2001 K) 2002 L) 2003
M) 2004 N) 2005 O) 2006 P) 2007
Q) 2008 R) 2009

RESPONSE:

4. Admit, for each of the years set forth below, that HSSD did not inform any consumer or purchaser of its finished drinking water that atrazine at levels below 3 parts per billion in drinking water is harmful to human health:

- A) 2003 B) 2004 C) 2005 D) 2006
E) 2007 F) 2008 G) 2009

RESPONSE:

5. Admit that, from the time you filed this lawsuit to the present time, you have never stopped providing drinking water to any consumer or purchaser of your finished drinking water based on the presence of atrazine in your finished drinking water at any level below 3 parts per billion.

RESPONSE:

Respectfully submitted,

SYNGENTA CROP PROTECTION INC.

By:


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 22nd day of June, 2009, I caused to be served the attached via **Hand Delivery**, upon the following counsel:

TO: Stephen M. Tillery, Esq.
Christine Moody, Esq.
Korein Tillery, L.L.C.
U.S. Bank Plaza
505 North 7th Street, Suite 3600
St. Louis, MO 63101

with a copy sent via United States mail, properly addressed and postage paid, upon the following counsel:

Mr. Scott Summy
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Attorneys for Plaintiff
HOLIDAY SHORES SANITARY DISTRICT


