	Page 1		Page 3
	UNITED STATES DISTRICT COURT	1	S.C., 111 East Kilbourn Avenue, 19th Flor, Milwaukee,
_	WESTERN DISTRICT OF WISCONSIN	2	Wisconsin, 53202-6622, jbk@mtfn.com, by MS. JENNIFER A.B.
	KATHLEEN McHUGH AND DEANNA SCHNEIDER,	3	KREIL, appeared on behalf of the United States Fire
	ndividually and on behalf of all serson similarly situated,	4	Insurance Company.
	Plaintiffs,	5	DEUTCH & WEISS, LLC, 7670 North Port
Ι,	v. Case No. 11-CV-724	6	Washington Road, Suite 200, Whitefish Bay, Wisconsin,
C	MADISON-KIPP CORPORATION, CONTINENTAL CASUALTY COMPANY, UNITED STATES FIRE INSURANCE	7	53217, charles.kramer@mweisslaw.net, by MR. CHARLES W.
C	COMPANY and ABC INSURANCE COMPANIES 1 - 50,	8	KRAMER, appeared on behalf of Lumbermens Mutual Casualty
	Defendants, and	9	Company.
N	MADISON-KIPP CORPORATION,	10	INDEX
	Cross-Claimant, vs.	11	WITNESS EXAMINATION PAGE
	CONTINENTAL CASUALTY COMPANY, COLUMBIA CASUALTY COMPANY, and UNITED STATES	12	BARRY CARLSEN By Mr. Busch 4
	FIRE INSURANCE COMPANY,	13	By Mr. White 28
	Cross-Claim Defendants, and	14	
	CONTINENTAL CASUALTY COMPANY and COLUMBIA CASUALTY COMPANY,	15	EXHIBITS
	Cross-Claim Defendants,	16	EXHIBIT NO.: MARKED ID'D
	and JUMBERMANS MUTUAL CASUALTY COMPANY, AMERICAN	17	1 - 130 South Marquette documents
	MOTORISTS INSURANCE COMPANY, and JOHN DOE NSURANCE COMPANIES 1 - 20,	18	2 - Carlsen answers to MKC interrogatories 4 5
	Third-Party Defendants.	19	3 - Carlsen answers to USF interrogatories 4 6
-	DEPOSITION OF	20	4 - Carlsen response to MKC document request . 4 6
	BARRY CARLSEN	21	5 - Carlsen response to USF document request . 4 6
	Madison, Wisconsin	22	
	December 12, 2012 2:57 p.m. to 3:47 p.m.	23	(The original exhibits were attached to the original
	Kim M. Peterson	24	transcript.)
	Registered Professional Reporter	25	(The original transcript was sent to Mr. Busch.)
	Page 2		Page 4
1	APPEARANCES	1	PROCEEDINGS
2	THE COLLINS LAW FIRM, P.C., 1770 North	2	(Exhibit Nos. 1 through 5 were marked
	Park Street, Suite 200, Naperville, Illinois, 69563,	3	for identification.)
	ejm@collinslaw.com, by MR. EDWARD J. MANZKE, appeared on	4	BARRY CARLSEN, called as a witness
5 1	behalf of the Plaintiffs.	5	herein by the Defendants, after having been first
6	VARGA, BERGER, LEDSKY, HAYES & CASEY,	6	duly sworn, was examined and testified as follows:
	125 South Wacher Drive, Suite 1250, Chicago, Illinois,	7	EXAMINATION
	60606-4473, nberger@vblhc.com, by MR. NORMAN B. BERGER,		BY MR. BUSCH:
	appeared on behalf of the Plaintiffs.	9	Q Please state your name.
10	MICHAEL, BEST & FRIEDRICH, LLP, 100	10	A Barry Carlsen.
	East Wisconsin Avenue, Milwaukee, Wisconsin, 53202,	11	Q And what is your current home address?
	jabusch@michaelbest.com, by MR. JOHN A. BUSCH, appeared	12	A 130 South Marquette.
	on behalf of the Madison-Kipp Corporation.	13	Q How long have you lived there?
14	MICHAEL, BEST & FRIEDRICH, LLP, 100	14	A Since the summer of '86.
	South Pinckney Street, Suite 700, P.O. Box 1806, Madison,	15	Q Can you briefly describe for me your educational
	Wisconsin, 53701-1806, abianchi@michaelbest.com and	16	background?
		17	A Yeah. I went to high school in Omaha, Nebraska,
	MS. LEAH H. ZIEMBA, appeared on behalf of the	18	moved up and went to undergraduate school
	Madison-Kipp Corporation.	19	there, moved up here for graduate school. Have an
20	TROUTMAN SANDERS, LLP, 55 West Monroe	20	MFA and BFA in Fine Arts.
	Street, Suite 3000, Chicago, Illinois, 60603-5758,	21	Q And can you briefly describe for me your work
		22	history since your undergraduate degree?
	WHITE, appeared on behalf of the Continental Casualty	23	A I was a TA at the university here.
14 1	Company.	24	Q Yes.
25	MEISSNER, TIERNEY, FISHER & NICHOLS,	25	A And I work currently at the university as a

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		Page 5			Page 7
1		graphic designer, I guess for the last 28 years.	1		regarding correspondence between Class Members and
2		Twenty-nine.	2		any other person relating to the Madison-Kipp
3	Q	Okay. And you share the home at	3		Corporation site. Do you see that?
4	À	130 South	4	Α	Yes.
5	Q	with someone else?	5	Q	Now, I don't know if you saw the the
6	À	Yes. My wife Marja Barger.	6		definitions, but the definition of documents
7	Q	And how long has she lived there?	7		included any e-mails. Do you know, did you do any
8	À	As long as I have.	8		searching of your records with regard to e-mail
9	Q	Directing your attention to what's been marked as	9		transmissions that you may have retained?
10	`	Carlsen Exhibit, I believe, No. 1. Do you see	10	A	No. The only e-mails I've gotten were through the
11		that in front of you?	11		DNR lisery and those between the lawyers and
12	A	Yes, sir.	12		myself.
13	Q	We had requested that you produce certain	13	Q	Okay. Were you ever a member of a liserv
14		described documents to us, and this was this is	14		sponsored by the S-A-S-Y
15		a list of or excuse me, a compilation of the	15	A	No.
16		documents that were provided to us regarding your	16	Q	Neighborhood Association?
17		home.	17	A	Never been a member. Never got correspondence
18		Can you take a brief look at this, and	18		with them.
19		does that comport with your recollection of the	19	Q	Do you know what year your house was constructed?
20		documents you compiled in response to our request	20	A	I want to say 1922. It's '20 or '22, someplace in
21		to produce?	21		those few years.
22	A	To the best of my knowledge it seems to be.	22	Q	And since you've lived there, and I believe you
23	Q	Okay. And then there Exhibit 2 in front of you	23		said you moved there in 1986?
24		is is your answers to Madison-Kipp's	24	A	(Witness nods.)
25		interrogatories, correct?	25	Q	Have you done any remodeling or reconstruction of
		Page 6			Page 8
1	A	Yes, sir.	1		the building?
2	Q	Exhibit 3 in front of you is your answers to the	2	A	Yeah. I personally did all the reconstruction and
3		interrogatories from the United States Fire	3		remodeling that's been existing. It's consisted
4		Insurance Company, correct?	4		of cosmetics things like, you know, fixing
5	A	Yes, I believe so.	5		drywall, stuff like that, adding insulation.
6	Q	And Exhibit 4 are your responses to the first set	6	Q	And is it Okay. Is there Was there any
7		of requests for documents from Madison-Kipp,	7		single time where there was a year in which there
8		correct?	8		was more work done than others?
9	A	I don't remember filling all these things out.	9	A	I couldn't pinpoint one that would be, you know,
10	Q	Well, you probably didn't fill them out.	10		that I could cite to you that was. I mean, this
11	A	Okay. Well, yeah.	11		is something that's been ongoing through the
12	Q	Typically, lawyers fill these things out and you	12		course of living there.
13		do the background information for it. So that's	13	Q	Okay.
14		the typical kind of thing.	14	A	It's It's not We didn't have a big building
15	A	Right.	15	_	flurry at any particular time.
16	Q	And Exhibit 5 is the responses to the United	16	Q	Did you physically add to the structure at any
17		States Fire Insurance first set of request for	17		point in time?
18		production of documents, correct? And I'm just	18	A	Yes. Actually, we put a screen porch on just this
19		doing this to identify what these exhibits are,	19	_	last year.
20	A	but that's is that correct?	20	Q	In 2012?
21 22	A	Yes, sir.	21 22	A	Yes.
23	Q	Okay. Directing your attention to the responses to Madison-Kipp's first request for production and	23	Q A	Is that off the back? Yes.
		things, which is Exhibit 4, and particularly page	23 24	Q	Did you pull a permit for that?
14		annes, which is Exhibit 7, and particularly page		V	Dia you pair a pointit for that:
24 25		4, it asks at at number 6 all documents	25	Α	Yes, sir.

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		Page 9			Page 11
1	Q	Okay. Did you do Have you done any other	1	Q	And what did you learn at or about that time?
2	~	construction on the property?	2	Ā	Well, I just I heard through the grapevine
3	A	About seven years ago I built a a workshop in	3		first and then in the newspaper that there was a
4	11	the backyard.	4		release of toxic chemicals and it infiltrated the
5	Q	Any other construction?	5		groundwater and and neighborhood houses.
6	A	No.	6		Vapors and soil contamination.
7	Q	Have you redone any floors?	7	Q	And up until that time had you had anyone do any
8	A	Well, when we first moved in we had refinishing	8	Q	testing on your property?
9	11	done on the floor, but that's the extent of it.	9	A	No.
10	Q	Have you done any significant replacement of any	10	Q	Since that time have you had any testing done on
11	Q	pipes or electrical conduits?	11	Q	your property?
12	A	Some electrical work due to the insulation.	12	A	Yes, sir.
13	Q	Okay. Have you ever had your house inspected	13	Q	And what have you had done on your property?
14	Q	for for asbestos?	14	A	There's been two separate soil tests exterior to
15	A	No, but I know the siding is asbestos.	15	11	the house, and two separate interior air samples
16	Q	And you've not had that removed or	16		done both ambient and sub-slab.
17	A	No.	17	Q	And those were done subsequent to the time in
18	Q	Okay.	18	Q	which you became aware of the
19	A	Just painted. Try not to disturb it.	19	Α	Yes.
20	Q	The How do you use your basement?	20	Q	Okay. Directing your attention to Exhibit 1,
21	A	Minimally. I use it to do laundry and that's	21	V	which is the compilation of documents, and in
22		pretty much it.	22		particular, there are numbers on the bottom. If
23	Q	Okay. Do you store materials in the basement?	23		you would look at documents that are numbered 11
24	Ā	Clothing, boxes, photographs, fishing equipment,	24		through 16. Do you see that?
25		stuff like that.	25	Α	Um-hum, yes.
		Page 10			Page 12
1	Q	Do you store any paints or	1	Q	Do you recall receiving this indoor air quality
2	A	No.	2	Q	building survey at some point in time?
3	Q	Okay. The When was the last time you recall	3	A	Yeah, I do.
4	V	refinancing your home?	4	Q	Okay. And do you recall the circumstances under
5	A	Interestingly enough, right at the same time I	5	×	which it was A, put together, if you recall, and
6		became aware of this problem. I can't say It	6		B, how you got it?
7		was like within days or weeks of I couldn't	7	A	Not exactly how it was put together, but I
8		even tell you which one came first, but it was	8		remember I received a lot of stuff in the last
9		right at that same time.	9		year or so.
10	Q	What year would that have been?	10	Q	Okay.
11	À	I guess it's it would have to be early '11	11	À	The details, I'm not sure. I think it came I
12		maybe. I honestly don't remember if it was '10 or	12		think it may have come before the first test
13		'11, but right at the time. The turn of the year.	13	Q	Okay.
14	Q	Did you Do you recall, did you refinance your	14	À	I guess.
15	-	house in 2012?	15	Q	On page 12, the under the type of heating, hot
16	A	No, not in '12.	16		air circulation, is that accurate? Is that how
17	Q	You think it was in 2010?	17		your house is heated?
18	À	I'm sorry. I should know some of this stuff	18	A	Yes, sir.
19		better than I do, but I'm not entirely sure.	19	Q	And it's by natural gas?
20	Q	No, you don't have to apologize.	20	A	Yes.
21	A	My wife is more financially	21	Q	Okay. Then on page 13 there's a list of chemical
22	Q	Okay. But your recollection is that it was	22		contaminants?
23		reasonably contemporaneous with you learning	23	A	Um-hum.
24		something about that which brings us here today?	24	Q	And it's got paints as latex.
25	Α	Right, yes.	25	A	Yes.

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1 Q Do you know where you keep that latex? 2 A Right now in my studio. At the time I think I was a painting the living room - and upstairs. 3 Painting the living room - and upstairs. 4 Q Okay. 5 A - and upstairs. 6 Q All right. And as you look here as of this date, is that an accurate protrayal of the - the chemicals that you - that you had in your house, at least as of March 7th, 2012? 10 A Yes. 11 Q It also indicates that there had been a recent remodeling of the upstairs bedroom, three weeks old? 12 Particular old in regard to that remodeling of the upstairs bedroom, three weeks old? 13 A The modeling of the upstairs bedroom, three weeks old? 14 A Yes. 15 Q Can you tell me what you did in regard to that remodeling? 16 Particular old in regard to that remodeling? 17 A I had some added insulation in the attic, and I put foam board insulation and drywall on the share with they - The date received from the lab is receiving those? 16 Q Okay. Directing your attention to page 9 and page 10. That's a letter from Madison-Kipp to you date date March 30, 2012? 18 A Yes. 19 Q Okay of the weath you did in regard to that remodeling? 19 A No. 20 Q Can you tell me what you did in regard to that remodeling? 21 A Yes. 22 Q Okay. If you to go page 53 and 54, 55 and 56, those are laboratory results. Do you recall receiving those? 23 A Um-hum, yes. 24 Q And did you get them on or about the time that they - The date received from the lab is 25 do you have those in front of you? 24 A Yes. 25 Q State of Wisconsin? 26 Q That's a letter from the Department of Health Services? 27 A Yes. 28 A Yes. 29 Q State of Wisconsin? 20 Q Kay. Directing your attention to pages 2. and 4 of the page 1. The date received from the lab in regard to that remodeling of the upstairs bedroom, three weeks and a variety of the week and the proving of the well and the proving of the well and the page 1. The date received from the lab is 2. The date r			Page 13			Page 15
2 A Right now in my studio. At the time I think I was painting the living room —  4 Q Okay.  5 A — and upstairs.  6 Q All right. And as you look here as of this date, is that an accurate portrayal of the — the chemicals that you—that you had in your house, at least as of March 7th, 2012?  9 A Yes.  11 Q It also indicates that there had been a recent remodeling of the upstairs bedroom, three weeks old?  12 Q Tran you tell me what you did in regard to that remodeling?  13 A Yes.  14 A Yes.  15 Q Can you tell me what you did in regard to that remodeling?  16 A Yes.  17 A I had some added insulation in the attic, and I put foam board insulation and drywall on the stander wall surfaces in the upstairs.  19 Q Okay. If you to go page 53 and 54, 55 and 56, those are laboratory results. Do you recall reversiving those?  21 A Ves.  22 That So indicates that there had been a recent refined been a rec	1	0	Do you know where you keep that latex?	1	Q	Okay. Do you have any reason to believe that the
3	2			2	_	
5 A and upstairs. 6 Q All right. And as you look here as of this date, is that an accurate portrayal of the the chemicals that you that you had in your house, at least as of March 7th, 2012? 10 A Yes. 11 Q It also indicates that there had been a recent remodeling of the upstairs bedroom, three weeks old? 12 C any you tell me what you did in regard to that remodeling of the upstairs bedroom, three weeks old? 13 A Yes. 14 A Yes. 15 Q Can you tell me what you did in regard to that remodeling of the upstairs bedroom, three weeks old? 16 A I had some added insulation in the attic, and I put foam board insulation and drywall on the slanted wall surfaces in the upstairs. 19 Q Okay. If you to go page 53 and 54, 55 and 56, those are laboratory results. Do you recall receiving those? 21 Those are laboratory results. Do you recall receiving those? 22 The receiving those? 23 A Um-hum, yes. 24 Q And did you get them on or about the time that they.—The date received from the lab is 25 That's a letter from the Department of Health Services? 26 A Yes. 27 A Ves. 28 A Yes. 29 Q State of Wisconsin? 29 Q State of Wisconsin? 20 A Um-hum, yep. 21 A Yes. 22 A Um-hum, yep. 23 A Um-hum, yep. 24 Q That's a letter from the Department of Health Services? 25 A Um-hum, yep. 26 Q That's a letter from the Department of Health Services? 28 A Yes. 39 Q State of Wisconsin? 30 A Wisconsin? 31 A Um-hum, yep. 41 A Yes. 42 A Yes. 43 A Yes. 44 C And did you get them on or about the time that they.—The date received from the lab is 45 A Ves. 46 A Yes. 47 A Yes. 48 A Yes. 49 Q State of Wisconsin? 40 A Wisconsin? 41 A Yes, at the upstairs are a very department of the date received from the lab is 40 A Yes. 41 A Yes. 42 A Yes. 43 A Um-hum, yep. 44 A Yes. 45 A Wisconsin? 46 A Yes. 46 A Yes. 57 A Um-hum, yep. 58 A Yes. 59 Q State of Wisconsin? 50 A Um-hum, yep. 60 Q That's a letter from the Department of Page 14 61 A Wisconsin? 62 A Um-hum, yep. 63 A Um-hum, yep. 64 A Yes. 65 A Um-hum, yep. 66 Q That's a letter from the Department of Page 14 67 A	3			3	A	I'm no expert in that. I have no reason to assume
Section   A   Fight   And as you look here as of this date, is that an accurate portrayal of the - the chemicals that you that you had in your house, at least as of March 7th, 2012?   9	4	Q	Okay.	4		one way or the other.
is that an accurate portrayal of the the chemicals that you that you had in your house, at least as of March 7th, 2012?  A Yes.  Can you tell me what you did in regard to that remodeling?  A Had some added insulation in the attic, and I put foam board insulation and drywall on the salanted wall surfaces in the upstairs.  Cap Qo kay. If you to go page 53 and 54, 55 and 56, they The date received from the lab is  Page 14  March 14th, 2012, correct?  A Yes.  Qo Kay. Directing your attention to pages 51 and 52, 52 do you have those in front of you?  March 14th, 2012, correct?  A Yes.  Qo Kay. Directing your attention to pages 51 and 55 services?  A Yes.  Cap And did you get them on or about the time that they The date received from the lab is  Page 14  March 14th, 2012, correct?  A Yes.  Cap And I rate/solve in front of you?  A Wes.  Cap And I rate/solve in front of you?  A Wes.  Cap And I talks about, at the fifth paragraph, it says that quote, "PCE was found in concentrations and previous DNR residential sub-slab soil action for PCE of 60 pps and are also less than the previous DNR residential sub-slab soil action for PCE of 60 pps and are also less than the previous DNR action level of PCE of 60 ppv."  Do you see that?  A Yes.  Cap I likewise reports certain sampling results, do you see that?  Cap Vou have to answer yes or no for her.  11 A Yes, sir.  12 Dyo have to answer yes or no for her.  13 A Yes, sir.  14 Q Do you have any reason to disbelieve the results of those?  A Wes, Have you done any sampling on your own?  A No.  Directing your attention to pages 2, 3 and 4 of the Exhibit 1, if you would take a moment and look at those three pages and advise me as to whether you believe there's anything that you see you believe the be inaccurate, if you'd let me know.  A Okay, Only that we actually had the roof replaced this year.  A Yes.  Cap Cap You have any reason to disbelieve the results of those?  A Yes.  Cap Cap You have any reason to disbelieve the results of those?  A Yes.  Cap Cap You have any	5	Α	and upstairs.	5	Q	Okay. Directing your attention to page 9 and
services?    8	6	Q	All right. And as you look here as of this date,	6		page 10. That's a letter from Madison-Kipp to you
a least as of March 7th, 2012?  A Yes.  Can you tell me what you did in regard to that remodeling?  A I had some added insulation in the attic, and I remodeling?  A I had some added insulation in the attic, and I remodeling?  A I had some added insulation in the attic, and I proform board insulation and drywall on the slanted wall surfaces in the upstairs.  D Q Okay. If you to go page 53 and 54, 55 and 56, those are laboratory results. Do you recall receiving those?  A Um-hum, yes.  A Um-hum, yes.  A Um-hum, yes.  A Ves.  March 14th, 2012, correct?  A Yes.  A Ves.  Um-hum, yes.  A Um-hum hyes.  A Wes.  A Yes.  A Wes.  A Yes.  A Um-hum hyes.  A Wes.  A Yes.  A Wes.  A Yes.  A Um-hum hyes.  A Wes.  A We	7		is that an accurate portrayal of the the	7		dated March 30, 2012?
10	8				A	
11 Q It also indicates that there had been a recent remodeling of the upstairs bedroom, three weeks old? 13 old? 14 A Yes. 2 Can you tell me what you did in regard to that remodeling? 15 Q Can you tell me what you did in regard to that remodeling? 16 A I had some added insulation in the attic, and I put foam board insulation and drywall on the stanted wall surfaces in the upstairs. 20 Q Okay. If you to go page 53 and 54, 55 and 56, to see are laboratory results. Do you recall receiving those? 21 The date received from the lab is 22 A Um-hum, yes. 23 A Um-hum, yes. 24 Q And did you get them on or about the time that they — The date received from the lab is 25 A Um-hum, yep. 26 Q Okay. Directing your attention to pages 51 and 52, do you have those in front of you? 27 A Yes. 3 Q Okay. Directing your attention to pages 51 and 52, do you have those in front of you? 3 A Yes. 4 Q And it alks about, at the fifth paragraph, it says that quote, "PCE was detected in your sub-slab samples. PCE was found in concentrations of 2.87 and 0.732 parts per billion by volume. 3 A Yes. 4 A Yes. 5 A Um-hum. 5 A Ves. 6 Q That's a letter from the Department of Health of 2.87 and 0.732 parts per billion by volume. 6 A Yes. 7 Q Okay. 8 A Yes. 9 Q State of Wisconsin? 9 Q State of Oissonsin? 10 A Um-hum. 11 Q And it talks about, at the fifth paragraph, it says that quote, "PCE was detected in your sub-slab samples. PCE was found in concentrations of 2.87 and 0.732 parts per billion by volume. 14 A Yes, I do. 15 A Um-hum, yep. 16 Q I metation to the time in which you refinanced your home, was — did this come before or after you last refinanced your home, do you know? 19 Do you see that? 20 Q In relation to the time in which you refinanced your home, was — did this come before or after you last refinanced your home, do you know? 21 A Yes, I do. 22 Q In relation to the time in which you refinanced your home, was — did this come before or after you last refinanced your home, do you know? 22 A Well, I think in the last five years it would be	9		at least as of March 7th, 2012?		Q	
remodeling of the upstairs bedroom, three weeks old?  A Yes.  Q Can you tell me what you did in regard to that remodeling?  A I had some added insulation in the attic, and I put foam board insulation and drywall on the stanted wall surfaces in the upstairs.  Q Okay. If you to go page 53 and 54, 55 and 56, those are laboratory results. Do you recall receiving those?  A Um-hum, yes.  Q And did you get them on or about the time that they — The date received from the lab is  Page 14  March 14th, 2012, correct?  A Yes.  Q Okay. Directing your attention to pages 51 and 52, do you have those in front of you?  A Um-hum, yep.  Q Okay. Directing your attention to pages 51 and 52, do you have those in front of you?  A Um-hum, yep.  Q Okay. Directing your attention to pages 51 and 52, do you have those in front of you?  A Um-hum, yep.  Q Okay. Directing your attention to pages 51 and 52, do you have those in front of you?  A Um-hum, yep.  Q Okay. Directing your attention to pages 51 and 52, do you have those in front of you?  A Um-hum, yep.  Q Okay. Directing your attention to pages 51 and 52, do you have those in front of you?  A Ves.  Q Okay. Directing your attention to that that you may not have any knowledge of, but the Exhibit 1, if you would take a moment and look at those three pages and advise me as to whether you believe there's anything that's inaccurate.  And I recognize there's some information on that that you may not have any knowledge of, but any the Exhibit 1, if you would take a moment and look at those three pages and advise me as to whether you believe there's anything that's inaccurate.  And I recognize there's some information on that that you may not have any knowledge of, but at the Exhibit 1, if you would take a moment and look at those three pages and any there's any the Exhibit 1, if you would take a moment and look at those three pages and any there's any thing that's inaccurate.  And I recognize there's some information on that that you may not have any knowledge of, but the Exhibit 1, if you wo	I					· ·
13		Q				
14						=
15 Q Can you tell me what you did in regard to that remodeling?  A I withhold judgment on that, too. I mean, I I don't know.  18 put foam board insulation and drywall on the slanted wall surfaces in the upstairs.  19 Q Okay. If you to go page 53 and 54, 55 and 56, those are laboratory results. Do you recall receiving those?  21 A Um-hum, yes.  22 A A Um-hum, yes.  23 A Um-hum, ye.  24 Q Okay. Directing your attention to pages 2, 3 and 4 of the Exhibit 1, if you would take a moment and look at those three pages and advise me as to whether you believe there's some information on that that you may not have any knowledge of, but that you may not have any knowledge of, but that you may not have actually had the roof replaced this year.  25 A Yes.  26 Q Okay.  27 D Okay.  28 A Yes.  29 Q State of Wisconsin?  20 A Um-hum, vep.  30 Q State of Wisconsin?  31 A Um-hum, yep.  32 A Um-hum, yep.  33 A Yes.  34 A Yes.  35 Q Okay.  36 Q Okay.  37 A Okay. Only that we actually had the roof replaced this year.  38 A Yes.  39 Q State of Wisconsin?  30 A Um-hum, yep.  31 A Um-hum, yep.  32 A Um-hum, yep.  33 A Ves.  34 A Yes.  35 Q Okay.  46 Q Okay.  47 A Okay. Only that we actually had the roof replaced this year.  48 A Yes.  49 Q State of Wisconsin?  40 A Um-hum, yep.  41 Says that quote, "PCE was detected in your sub-slab samples. PCE was found in concentrations of 2.87 and 0.732 parts per billion by volume.  48 A Ta Withhold judgment on that, too. I mean, I I don't whow?  48 A Um-hum, yes.  49 Q Okay.  40 Okay. Have you done any sampling on your own?  40 A Ves.  41 A Vis. Júdy and the fill object there's some information to that the and the page 2.3 and 4 of the Exhibit 1, if you would take a moment and look at those three pages and advise me as to whether you believe there's some information to that that you may not have actually had the roof replaced this year.  40 Okay.  41 A Okay. Only that we actually had the roof replaced this year.  41 A Um-hum, yep.  42 Q Okay.  43 A Okay. Only that we actually had the roof repl						
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25 11 13161. Just this one time. From to that we did one	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q	March 14th, 2012, correct? Yes. Okay. Directing your attention to pages 51 and 52, do you have those in front of you? Um-hum, yep. That's a letter from the Department of Health Services? Yes. State of Wisconsin? Um-hum. And it talks about, at the fifth paragraph, it says that quote, "PCE was detected in your sub-slab samples. PCE was found in concentrations of 2.87 and 0.732 parts per billion by volume. Attached is a copy of the WSLH report for these samples. These concentrations are less than the current Wisconsin DNR residential sub-slab soil action for PCE of 60 ppv and are also less than the previous DNR action level of PCE of 6.0 ppv." Do you see that? Yes, I do. In relation to the time in which you refinanced your home, was did this come before or after	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A Q	anything that you see you believe to be inaccurate, if you'd let me know.  Okay. Only that we actually had the roof replaced this year.  Okay.  Had hail damage. And with the addition of the screen porch it seemed like the right time to do it.  Okay.  We had the insurance company give a settlement on that, so that helped.  All right.  Other than that, I don't think there's any inaccuracies  Okay.  that I can see.  In connection with your most recent refinancing, do you know if there was a an appraisal that was done?  Not to my knowledge.  How many times have you refinanced in the last five years, if you know? I only ask that because I know a lot of people have several times.

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		Page 17			Page 19
1		refinance.	1		believe constituted a violation of law?
2	Q	And was that refinancing with	2	Α	None that would regard this case, probably say
3	A	Credit Union. UW	3		that.
4	Q	The Wisconsin Credit Union?	4	Q	Okay. Have you seen anything any conduct on
5	A	Yes.	5		the part of Madison-Kipp since you've lived there
6	Q	Okay. Do you retain any documents associated with	6		which from your viewpoint as you observed it to be
7		that refinancing?	7		negligent?
8	A	None that I haven't supplied.	8	A	Yes.
9	Q	When, to your recollection, was the last time your	9	Q	What have you seen?
10		house was appraised?	10	À	Oh, lots of throwing of beer cans and things like
11	Α	I don't know. It's I've never received an	11		that over the fence, and loud noises, lots of kind
12		appraisal from the city, other than what we get	12		of employee misbehavior in the back, but like,
13		the taxes and	13		again, it doesn't I don't think that affects
14	Q	And in connection with any of your refinancing you	14	Q	Not this case. It may be activity that you would
15		don't recall receiving any appraisals?	15		have believed should have been curbed on the part
16	A	Nope, never did. Quick re-fi on this last time.	16		of employees?
17		Went real fast.	17	A	Yeah.
18	Q	Okay. At any point in time, sir, have you been	18	Q	Okay.
19		offered a mitigation system for your home?	19	A	Things like that.
20	A	Yes, sir.	20	Q	Okay. Now, at some point in time you became aware
21	Q	Have you installed one?	21		back in the '90's that Madison-Kipp
22	À	I submitted it to the DNR. I've yet to receive	22	A	Oh, I will back up. There was actually something
23		the unit.	23		I did see, and this is this is years ago, but
24	Q	It's your intention to	24		it's within the scope of the use of this chemical.
25	A	Yes.	25	Q	Okay.
		Page 18			Page 20
1	Q	Okay. And what what do you believe the the	1	A	Our neighbors at one time had this pool of
2	~	purpose of the mitigation system to be?	2		petroleum appearance of a petroleum-based
3	A	To protect my family.	3		substance that ran after a heavy rain into their
4	Q	Okay. Protect it from?	4		property, into their garden area, and we all
5	À	Well, presence of chemicals. Be they negligible	5		looked at it. It was very shiny and kind of
6		or above actionable standards, they're not	6		would look like an oil slick.
7		supposed to be in my house.	7	Q	And you believe it came from
8	Q	Okay. Have you put your house up for sale in the	8	À	Well
9		last several years?	9	Q	Madison-Kipp?
10	Α	No.	10	À	That's my best guess.
11	Q	Okay. You've lived there since 1986?	11	Q	And what property was it, do you recall?
12	À	Yes, sir.	12	À	It's the property that's to as you face the
13	Q	Have you ever seen with your own eyes any conduct	13		street to my left, I think that's 120 No. It
14	-	at Madison-Kipp which you viewed to be	14		would be 132 or 34. I honestly don't know the
15		intentionally done intentionally to harm you?	15	Q	We'll find that out. Do you recall what year that
16	A	To harm me personally? No.	16		was?
17	Q	Okay. Or your property?	17	A	Oh, man. It's maybe 15, 20 years ago. No, it
18	A	I I don't know what that would have been,	18		wouldn't be 20 because they So sometime in the
19		but	19		range of 15, 17 years ago.
20	Q	You didn't see anything	20	Q	Did you take any action in response to
21	A	Well, nothing that I'd recognize as intent to harm	21	A	Well, it didn't run into our yard, so no, I did
22		me, no.	22		not. They've subsequently moved many years ago.
23	Q	Okay. And since you've lived there since 1986,	23	Q	Did you see anything upon your property?
24		have you seen, with your own eyes observed, any	24	A	No, I didn't see anything there.
25		conduct on the part of Madison-Kipp which you	25	Q	Okay. At some point in time you became aware that

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		Page 21			Page 23
1		Madison-Kipp was interested in the '90's in	1	Α	I don't think it was the article. I think it was
2		extending its stacks, correct?	2		the the conversations.
3	A	Um-hum.	3	Q	And do you recall what she said to you?
4	Q	And were you involved at all in that in that	4	À	I think at that time they were installing a
5		issue?	5		mitigation unit. She had measurable levels in her
6	A	No. I checked out by then. I was Prior to	6		basement, concerns for her child's health and
7		that I was interested in the noise mitigation	7		herself and what property damages there would be
8		issues. And then them subsequently sealing the	8		from a financial standpoint.
9		factory up it solved that problem, and I think it	9	Q	And this all fell within about the same time of
10		actually cleared up a lot of the ambient air in	10		your awareness, correct?
11		our neighborhood.	11	A	Yes, sir.
12	Q	Okay. So you you did not involve yourself at	12	Q	And if we could peg did she have the mitigation
13		all in the Clean Air Madison matter?	13		system in her home at that time, or was it to be
14	A	No. I was done with it by then. And I didn't	14		installed?
15		agree with those people.	15	A	I'm not entirely sure. I think it might have been
16	Q	I believe you said you heard through the grapevine	16		just as it was installed.
17		something about some contamination on your	17	Q	Okay. And once these concatenation of events took
18		property.	18		place, did you take any action or do anything in
19	A	No, I didn't I said that I heard that there was	19		response thereto?
20		some spill and contamination in the neighborhood.	20	A	Not at that time. I kind of thought for some
21	Q	Okay. And that was within the last two years you	21		reason that the buffer of a few feet would have
22		think?	22		made a difference, but no. So not initially.
23	A	It was right within a week or so of the	23	Q	Okay. What's the first action that if any,
24		notification in the paper. Prior to it.	24		that you took in response to your belief about
25	Q	And what notification in the paper are you	25		contamination?
		Page 22			Page 24
1		speaking about?	1	A	Well, I don't, again, have the the specific
2	A	I seem to remember an article in the State	2		date, but it was upon attending one of the
3		Journal, I think it was, or maybe it was the	3		meetings here at the Goodman Center in the course
4		Isthmus.	4		of the last year-and-a-half.
5	Q	To what effect?	5	Q	So that you started educating yourself?
6	A	Well, I don't have it in front of me to know, but	6	A	Yes, sir.
7		that there was a release of chemicals from the	7	Q	Okay. Do you still have any children at home?
8		Kipp Corporation and some investigation was	8	A	No.
9		ensuing. I couldn't be more specific than.	9	Q	Is it your belief that your house is diminished in
10	Q	Okay. Do you know Deanna Schneider?	10		value because of the conduct of Madison-Kipp?
11	A	Yes.	11	A	Yes.
12	Q	Okay. Have you ever spoken with her about	12	Q	What have you done to ascertain that?
13		groundwater and/or soil and/or vapor	13	A	At this present time none, but through the example
14		contamination?	14		of a neighbor's lack of salability of the property
15	A	Yes.	15		he purchased, I'm assuming since I'm in the same
16	Q	And when's the first time, if you can recall, you	16		proximity that it's going to be the same result.
17		spoke with her about it?	17	Q	And what neighbor of whom do you speak?
18	A	I think all these things came quite close in	18	A	I don't know his name personally. He owned a
19		proximity. So it would have been at the time that	19		rental property up the street. A little white
20		this article came out. And hearing through the	20		house toward Atwood Avenue.
21		grapevine, I went down and spoke more to her	21	Q	Okay.
22		because I knew that she had you know, this	22	A	I know the history of the circumstances there.
23		grapevine alerted me to the fact that she had some	23	Q	And it's your belief that he was unable to sell
24	-	contamination issues in her house.	24		his house because of the the
25	Q	The newspaper article did, or	25	A	My understanding is that the bank did not grant a

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1		loan due to the property being a risk on their	1		about PCE in Miss Schneider's property on
2		part to grant a loan.	2		Miss Schneider's property in 2004?
3	Q	When you last refinanced with the credit union, do	3	A	I don't recall any articles at that time.
4	•	you recall having any discussions with them about	4	Q	Do you recall reading any articles in 2004 about
5		the	5	•	the presence of PCE in groundwater?
6	Α	No.	6	Α	No.
7	Q	presence	7	Q	Do you subscribe to any In 2004 through 2007
8	À	It was, like I say, right at the very advent of	8		did you subscribe to any periodicals, local
9		the announcement. I was not part of the lawsuit	9		periodicals?
10		at that time. I thought it was probably something	10	A	Oh, yeah. The State Journal.
11		I would avoid. I still wish it was.	11	Q	Did you read it generally each day?
12		MR. BUSCH: Let's take five minutes.	12	À	No. Just Sundays. It's a Sunday paper only.
13		Is that okay with you guys?	13	Q	Do you make it a habit to watch TV news?
14		(Recess taken.)	14	À	Very minimally.
15	BY	MR. BUSCH:	15	Q	Prior to coming to the meeting after you became
16	Q	Mr. Carlsen, in your answers to interrogatories,	16	_	aware, you know, in the last two years of the
17		which is Exhibit to the Madison-Kipp	17		potential contamination, did you regularly attend
18		interrogatory, which I think is Exhibit 2.	18		neighborhood association meetings?
19	A	Okay.	19	A	No.
20	Q	And I'm looking at page 3, question 3. The answer	20	Q	You don't rent your property, do you?
21		says we've lost the full use and enjoyment of our	21	A	No.
22		property. Can you be more explicit in how you've	22	Q	So to the extent that you believe you may lose
23		lost the use and enjoyment of your property?	23		value with regard to your property it would be at
24	A	Well, we, you know, don't use our basement as we	24		the time you sell?
25		used to. We minimally use it to do the laundry,	25	A	Yes.
		Page 26			Page 28
1		as I mentioned. It used to be considered kind of	1		MR. BUSCH: Okay. Okay. I don't have
2		a guest space. Wouldn't consider that again, at	2		anything further.
3		least until I'm satisfied about the safety.	3		EXAMINATION
4		And just, I don't know, just gives a	4	BY	MR. WHITE:
5		feeling of slight well-being just knowing that	5	Q	Good afternoon, Mr. Carlsen. My name is Chris
6		there's something in our house that's not	6		White. I represent some of Madison-Kipp's
7		that's a proven carcinogen even in its given	7		insurance companies; Continental Casualty Company
8		amounts, and I'm not happy with it in the house.	8		and Columbia Casualty Company. I just have a
9	Q	Has anyone from the DNR or from the Health	9		couple questions.
10		Department indicated to you that you shouldn't use	10	A	Sure.
11		your basement?	11	Q	On January 1st of 1980 where were you living?
12	A	They've not said that, but it's my property and	12	A	1980?
13		that's the way I feel.	13	Q	Yes.
14	Q	Has anyone at all told you not to use your	14	A	Omaha, Nebraska.
15		basement?	15	Q	And how long did you remain at your residence in
16	A	No.	16		Nebraska?
17	Q	You recall sometime in 2004 being interviewed by		A	Well, I was born there. So I guess at that point
18		Channel 3000?	18		it had been 23 years, and then I moved up here.
19	A	There was a news crew there. I don't remember	19	Q	When was it that you moved from Omaha to Madison?
20	_	I don't remember being interviewed, no.	20	A	It would have been in the fall of that year. '80.
21	Q	Okay. Do you recall in the 2004 time period	21	Q	The fall of 1986?
22		talking to Miss Schneider about PCE?	22	A	No. '80 you said, right?
23	A	No. I didn't even know what that was at the time.	23	Q	Yes, 1980.
1		I'm not cure Letill do except it's had	24	Α	Okay. That's when I moved here.
24 25	Q	I'm not sure I still do, except it's bad.  Do you recall reading anywhere in the newspaper	25	Q	Where did you live when you first moved to

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1		Madison?	1	A	Then I think we moved to Dayton Street, 1133
2	A	Langdon Street.	2		Dayton, which is kind of like midway between where
3	Q	And	3		we're presently at and the Capitol Square.
4	A	104 Langdon.	4	Q	Okay. And still a couple of miles from
5	Q	And relative to where we are today, where	5		Madison-Kipp and the Goodman Center where we are
6	×	approximately is	6		today?
7	A	It's	7	A	Yeah, probably so.
8	Q	Langdon Street?	8	Q	And how long did you remain at that residence?
9	A	maybe six blocks from the Capitol.	9	À	A year.
10	Q	Okay.	10	Q	So are we up to fall of '84 now?
11	Ā	Downtown.	11	À	Yeah.
12	Q	So it's a couple miles from here.	12	Q	Where did you move in the fall of 1984?
13	Ā	Oh, yeah.	13	A	Norris Court Apartments. That was back toward
14	Q	How long did you remain in your residence on	14		downtown by a few blocks on Gorham and Patterson
15		Langdon Street?	15		Street, I think. I think Yeah. That was a
16	Α	The academic year. That would have been, I guess,	16		year as well.
17		you know, nine months or so.	17	Q	Okay. And Norris Court Apartments also, again,
18	Q	So that's the fall of 1980 until the spring of	18		several miles from here?
19		1981?	19	A	Yes.
20	A	Yes.	20	Q	So we're up to the fall of '85?
21	Q	Where did you move in the spring or summer of	21	À	Yeah.
22		1981?	22	Q	Where did you move in the fall of 1985?
23	A	I moved back to Omaha for the summer.	23	À	Then we moved to Olin Avenue, which is even
24	Q	Okay.	24		further from here, about two miles from the
25	À	Then I came back here.	25		Capitol south. So four, maybe five miles from
		Page 30			Page 32
1	Q	Page 30 Okay. So is the the next time you returned to	1		Page 32 here.
1 2	Q		1 2	Q	
	Q A	Okay. So is the the next time you returned to		Q	here.
2		Okay. So is the the next time you returned to Madison then would be the fall of 1982?	2	Q A	here. Okay. And how long did you remain at the
2 3	A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah.	2		here. Okay. And how long did you remain at the residence on Olin Street?
2 3 4	A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to	2 3 4	A	here. Okay. And how long did you remain at the residence on Olin Street? Just a year.
2 3 4 5	A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981?	2 3 4 5	A Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And
2 3 4 5 6	A Q A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square.	2 3 4 5 6	A Q A	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right?
2 3 4 5 6 7	A Q A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several	2 3 4 5 6 7	A Q A Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4
2 3 4 5 6 7 8 9	A Q A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence.	2 3 4 5 6 7 8	A Q A Q A	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay.
2 3 4 5 6 7 8 9 10	A Q A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the	2 3 4 5 6 7 8 9 10	A Q A Q A	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased
2 3 4 5 6 7 8 9 10 11 12	A Q A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street?	2 3 4 5 6 7 8 9 10 11	A Q A Q A	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep.
2 3 4 5 6 7 8 9 10	A Q A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year.	2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q A Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct?
2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982?	2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q A Q A	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A Q A Q A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A Q A Q Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q A Q A Q A	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q A Q A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982? Let's see. Then we moved to Gorham Street. Once	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q A Q A Q A Q A Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes. Okay. Now, you said you're married, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982? Let's see. Then we moved to Gorham Street. Once again downtown, still miles from here, probably	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q A Q A A Q A A Q A A Q A A Q A A Q A A Q A A Q A A Q A A Q A A Q A A Q A A Q A A A Q A A A Q A A A Q A A A Q A A A Q A A A Q A A A Q A A A Q A A A Q A A A Q A A A A Q A A A Q A A A A Q A A A A Q A A A A Q A A A A Q A A A A Q A A A A Q A A A A A Q A	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes. Okay. Now, you said you're married, correct? Yes, sir.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982? Let's see. Then we moved to Gorham Street. Once again downtown, still miles from here, probably seven blocks from the Capitol.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q A Q A Q A Q A Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes. Okay. Now, you said you're married, correct? Yes, sir. Your wife's name is Marja?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982? Let's see. Then we moved to Gorham Street. Once again downtown, still miles from here, probably seven blocks from the Capitol. Okay. And how long did you remain in the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q A Q A Q A Q A Q A Q A P Q P Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes. Okay. Now, you said you're married, correct? Yes, sir. Your wife's name is Marja? Marja Barger.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q A Q A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982? Let's see. Then we moved to Gorham Street. Once again downtown, still miles from here, probably seven blocks from the Capitol. Okay. And how long did you remain in the residence on Gorham Street?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q A Q A Q A Q A Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes. Okay. Now, you said you're married, correct? Yes, sir. Your wife's name is Marja? Marja Barger. Were you and your wife married on January 1st of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A A Q A A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982? Let's see. Then we moved to Gorham Street. Once again downtown, still miles from here, probably seven blocks from the Capitol. Okay. And how long did you remain in the residence on Gorham Street? A year.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A Q A Q A Q A Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes. Okay. Now, you said you're married, correct? Yes, sir. Your wife's name is Marja? Marja Barger. Were you and your wife married on January 1st of 1980?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q A Q A Q A Q	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982? Let's see. Then we moved to Gorham Street. Once again downtown, still miles from here, probably seven blocks from the Capitol. Okay. And how long did you remain in the residence on Gorham Street? A year. So are we now up to the fall of 1983?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q A Q A Q A Q A Q A Q A Q A P Q P Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes. Okay. Now, you said you're married, correct? Yes, sir. Your wife's name is Marja? Marja Barger. Were you and your wife married on January 1st of 1980? No, not January 1st. Oh, I'm sorry. Yeah. We
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A A Q A A	Okay. So is the the next time you returned to Madison then would be the fall of 1982? Right, yeah. No, '81, wouldn't it? Yeah. And where did you reside when you came back to Madison in the fall of 1981? Pinckney Street, a block closer to the Square. Okay. And again, that residence also several miles from where we are? Yeah. It was three blocks from the first residence. Okay. And how long did you remain in the residence on Pinckney Street? That was a year. Solid year. Okay. So that brings us to the fall of 1982? Yeah. And where did you move in the fall of 1982? Let's see. Then we moved to Gorham Street. Once again downtown, still miles from here, probably seven blocks from the Capitol. Okay. And how long did you remain in the residence on Gorham Street? A year.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A Q A Q A Q A Q	here. Okay. And how long did you remain at the residence on Olin Street? Just a year. And And I think that brings us to '86, right? Yes. Now, if you look at Exhibit 1, page 4 Okay according to this it looks like you purchased your current home in July of 1986; is that correct? Yep. Yep. And that is when you purchased your current home? Yep. And then did you move in shortly thereafter? Yes. Okay. Now, you said you're married, correct? Yes, sir. Your wife's name is Marja? Marja Barger. Were you and your wife married on January 1st of 1980?

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		Page 33		Page 35
1	Q	Okay. Congratulations. Have you and your wife	1	A No. It was my knowledge through, you know, common
2		always lived together from the time you were	2	parlance at that just wasn't there. So I didn't
3		married to the present?	3	take steps, no.
4	A	Yes.	4	Q Okay. When you mentioned that you did some
5	Q	Do you know where your wife lived prior to your	5	insulation work on your home, did that involve
6		becoming married in 1982?	6	taking out old insulation or simply adding
7	A	Yeah. Couple years with me, and then before that	7	additional insulation?
8		in Omaha.	8	A Professionally they removed insulation. I had a
9	Q	Oh. So you and your wife lived together	9	contractor remove insulation from the attic space,
10	A	Before we were married.	10	which was old cellulose and Yeah. I guess it
11	Q	Okay. And would that have you and your wife	11	was just old crappy cellulose and some fiberglass.
12		lived together consecutively from January 1st,	12	Q You personally haven't removed any insulation from
13		1980 to the present?	13	your house?
14	A	No, not from '80. She came up in '81, I believe.	14	A No.
15		Yeah.	15	MR. WHITE: Okay. That's all I have.
16	Q	Where did she live prior to 1981?	16	MR. KRAMER: No.
17	À	In Omaha, Nebraska.	17	MS. KREIL: I have nothing anything.
18	Q	Okay. Didn't live in Madison prior to 1981?	18	MR. MANZKE: John, anything else?
19	À	No.	19	MR. BUSCH: No.
20	Q	Okay. I think earlier when you were talking about	20	(At 3:47 p.m. the deposition
21		some of the home renovations that you had done	21	concluded.)
22		yourself you mentioned that you did some drywall	22	,
23		work?	23	
24	A	Um-hum.	24	
25	Q	Did that involve taking down old drywall and	25	
		Page 34		Page 36
1	A	No. I put foam board up and drywall over the top.	1	STATE OF WISCONSIN )
2		And in the basement I built walls, and they're	2	MILWAUKEE COUNTY ) SS:
3		drywalled.	3	I, KIM M. PETERSON, CM, Registered
4	Q	Have you removed any of the old drywall?	4	Professional Reporter and Notary Public in and for the
5	Ā	No.	5	State of Wisconsin, do hereby certify that the deposition
6	Q	Okay. You also mentioned that you did some work	6	of BARRY CARLSEN, was taken before me at the Goodman
7	~	with insulation?	7	Community Center, 149 Waubesa Street, Madison, Wisconsin,
8	Α	It wasn't drywall to start with. It was plaster	8	on the 12th day of December, 2012, commencing at 2:57
9		lathe, but no, I didn't remove walls of that.	9	o'clock in the afternoon.
10	Q	So you haven't knocked down or or cut into any	10	That it was taken at the instance of
11		of the old walls.	11	the Defendants upon verbal interrogatories.
12	Α	Well, I did make two doorways bigger in the	12	That said deposition was taken to be
13		bedroom for closet space, but that's, you know,	13	used in an action now pending in the United States
14		some square footage. Not	14	District Court, Western District of Wisconsin, Wisconsin,
15	Q	And when did you	15	in which KATHLEEN McHUGH AND DEANNA SCHNEIDER, et al.,
16	À	1980 when we first moved in.	16	are the Plaintiffs, MADISON-KIPP CORPORATION, CONTINENTAL
17	Q	Okay.	17	CASUALTY COMPANY, UNITED STATES FIRE INSURANCE COMPANY
18	À	Or not '80, I'm sorry. '86.	18	and ABC INSURANCE COMPANIES 1-50, are the Defendants,
19	Q	Prior to doing that work did you make any efforts	19	MADISON-KIPP CORPORATION, is the Cross-Claimant,
20	-	to see if the wall material was	20	CONTINENTAL CASUALTY COMPANY, COLUMBIA CASUALTY COMPANY
21		asbestos-containing?	21	and UNITED STATES FIRE INSURANCE COMPANY, are the
22	Α	To my knowledge, there was no asbestos in plaster	22	Cross-Claim Defendants, CONTINENTAL CASUALTY COMPANY and
23		back then, so I didn't think to check.	23	COLUMBIA CASUALTY COMPANY, are the Cross-Claim
24	Q	Did you take any steps to verify there was no	24	Defendants, and LUMBERMENS MUTUAL CASUALTY COMPANY,

12/12/12

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 1
      INSURANCE COMPANIES 1-20, are the Third-Party Defendants
 2
                APPEARANCES
 3
                THE COLLINS LAW FIRM, P.C., 1770 North
 4
      Park Street, Suite 200, Naperville, Illinois, 69563,
 5
      ejm@collinslaw.com, by MR. EDWARD J. MANZKE, appeared on
 6
      behalf of the Plaintiffs.
 7
                VARGA, BERGER, LEDSKY, HAYES & CASEY,
 8
      125 South Wacher Drive, Suite 1250, Chicago, Illinois,
 9
      60606-4473, nberger@vblhc.com, by MR. NORMAN B. BERGER,
10
      appeared on behalf of the Plaintiffs.
                MICHAEL, BEST & FRIEDRICH, LLP, 100
11
12
      East Wisconsin Avenue, Milwaukee, Wisconsin, 53202,
13
      jabusch@michaelbest.com, by MR. JOHN A. BUSCH, appeared
14
      on behalf of the Madison-Kipp Corporation.
15
                MICHAEL, BEST & FRIEDRICH, LLP, 100
16
      South Pinckney Street, Suite 700, P.O. Box 1806, Madison,
17
      Wisconsin, 53701-1806, abianchi@michaelbest.com and
      lhziemba@michaelbest.com, by MR. ALBERT BIANCHI, JR. and
18
19
      MS. LEAH H. ZIEMBA, appeared on behalf of the
20
      Madison-Kipp Corporation.
                TROUTMAN SANDERS, LLP, 55 West Monroe
21
22
      Street, Suite 3000, Chicago, Illinois, 60603-5758,
23
      christopher.white@troutmansanders.com, by MR. CHRISTOPHER
24
      WHITE, appeared on behalf of the Continental Casualty
25
      Company.
                                                      Page 38
 1
                 MEISSNER, TIERNEY, FISHER & NICHOLS,
 2
      S.C., 111 East Kilbourn Avenue, 19th Flor, Milwaukee,
 3
      Wisconsin, 53202-6622, jbk@mtfn.com, by MS. JENNIFER A.B.
 4
      KREIL, appeared on behalf of the United States Fire
 5
      Insurance Company.
 6
                 DEUTCH & WEISS, LLC, 7670 North Port
 7
      Washington Road, Suite 200, Whitefish Bay, Wisconsin,
 8
      53217, charles.kramer@mweisslaw.net, by MR. CHARLES W.
 9
      KRAMER, appeared on behalf of Lumbermens Mutual Casualty
10
      Company.
11
                 That said deponent, before
12
      examination, was sworn to testify the truth, the whole
13
      truth, and nothing but the truth relative to said cause.
14
                 That the foregoing is a full, true and
15
      correct record of all the proceedings had in the matter
16
      of the taking of said deposition, as reflected by my
17
      original machine shorthand notes taken at said time and
18
      place.
19
20
                    Notary Public in and for
21
                    the State of Wisconsin
22
      Dated this 20th day of December, 2012,
23
      Milwaukee, Wisconsin.
24
      My commission expires March 9, 2014.
25
      Halma-Jilek Reporting, Inc. (414) 271-4466
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