

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WISCONSIN</p> <hr/> <p>KATHLEEN McHUGH, and DEANNA SCHNEIDER, Individually and on behalf of all persons similarly situated, Plaintiffs, vs. CASE NO. 11-CV-724 MADISON-KIPP CORPORATION, CONTINENTAL CASUALTY COMPANY, UNITED STATES FIRE INSURANCE COMPANY and ABC INSURANCE COMPANIES 1-50, Defendants, and MADISON-KIPP CORPORATION, Cross-Claimant, vs. CONTINENTAL CASUALTY COMPANY, COLUMBIA CASUALTY COMPANY and UNITED STATES FIRE INSURANCE COMPANY, Cross-Claim Defendants,</p> <hr/> <p>(Caption continued) DEPOSITION OF SHARON HELMUS Madison, Wisconsin December 17, 2012 2:16 p.m. to 2:48 p.m. Kathy A. Halma, RPR</p>	<p style="text-align: right;">Page 3</p> <p>1 S.C., 111 East Kilbourn Avenue, 19th Floor, Milwaukee, Wisconsin, 53202-6622, by MR. MICHAEL J. COHEN, mjc@mtfn.com, appeared on behalf of United States Fire Insurance Company.</p> <p>2</p> <p>3</p> <p>4 HALE & WAGNER, S.C., 839 North Jefferson Street, Suite 400, Milwaukee, Wisconsin, 53202, by MR. JACQUES C. CONDON, jcc@halewagner.com, appeared on behalf of American Motorists Insurance Company.</p> <p>5</p> <p>6 I N D E X</p> <p>7 SHARON HELMUS</p> <p>8 By Mr. Busch.....5</p> <p>9 By Mr. White.....23</p> <p>10 By Mr. Condon.....24</p> <p>11 E X H I B I T S</p> <p>12 No. 1 Discovery Documents; PLF_166_S_MARQ_000001 to 000072.....5</p> <p>13</p> <p>14 No. 2 Answers to Defendant Madison-Kipp Corporation's First Set of Interrogatories.....5</p> <p>15</p> <p>16 No. 3 Answers to Defendant United States Fire Insurance Company's First Set of Interrogatories.....5</p> <p>17</p> <p>18</p> <p>19 No. 4 Responses to Defendant Madison-Kipp Corporation's First Set of Requests for Documents and Things.....5</p> <p>20</p> <p>21</p> <p>22 No. 5 Responses to Defendant United States Fire Insurance Company's First Set of Requests for Production.....5</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 2</p> <p>1 and</p> <p>2 CONTINENTAL CASUALTY COMPANY and COLUMBIA CASUALTY COMPANY,</p> <p>3</p> <p>4 Cross-Claim Defendants</p> <p>5 and</p> <p>6 LUMBERMENS MUTUAL CASUALTY COMPANY, AMERICAN MOTORISTS INSURANCE COMPANY, and JOHN DOE INSURANCE COMPANIES 1-20, Third-Party Defendants.</p> <p>7</p> <p>8</p> <p>9</p> <p>10 A P P E A R A N C E S</p> <p>11 THE COLLINS LAW FIRM, P.C., 1770 North Park Street, Suite 200, Naperville, Illinois, 60563, by MR. EDWARD J. MANZKE, ejmanzke@collinslaw.com, appeared on behalf of the Plaintiffs.</p> <p>12</p> <p>13</p> <p>14 VARGA, BERGER, LEDSKY, HAYES & CASEY, 125 South Wacker Drive, Suite 1250, Chicago, Illinois, 60606-4473, by MR. MICHAEL D. HAYES, mhayes@vblhc.com, appeared on behalf of the Plaintiffs.</p> <p>15</p> <p>16 MICHAEL, BEST & FRIEDRICH, LLP, 100 East Wisconsin Avenue, Milwaukee, Wisconsin, 53202, by MR. JOHN A. BUSCH, jabusch@michaelbest.com, appeared on behalf of Madison-Kipp Corporation.</p> <p>17</p> <p>18</p> <p>19 MICHAEL, BEST & FRIEDRICH, LLP, One South Pinckney Street, Suite 700, Madison, Wisconsin, 53703, by MS. LEAH H. ZIEMBA and MR. ALBERT BIANCHI, JR., lhziemba@michaelbest.com and abianchi@michaelbest.com, appeared on behalf of Madison-Kipp Corporation.</p> <p>20</p> <p>21</p> <p>22 TROUTMAN SANDERS, LLP, 55 West Monroe Street, Suite 3000, Chicago, Illinois, 60603-5758, by MR. CHRISTOPHER H. WHITE, christopher.white@troutmansanders.com, appeared on behalf of the Defendant Continental Casualty Company.</p> <p>23</p> <p>24</p> <p>25 MEISSNER, TIERNEY, FISHER & NICHOLS,</p>	<p style="text-align: right;">Page 4</p> <p>1 (The original transcript was sent to Attorney Bianchi.)</p> <p>2</p> <p>3 (The original exhibits were retained by the court reporter and attached to the original transcript. Copies were attached to all ordered copies.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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<p>1 TRANSCRIPT OF PROCEEDINGS 2 (Exhibits 1 through 5 were marked.) 3 SHARON HELMUS, called as a witness 4 herein by the Defendants, after having been first 5 duly sworn, was examined and testified as 6 follows: 7 EXAMINATION 8 BY MR. BUSCH: 9 Q Ms. Helmus, have you ever had your deposition 10 taken before? 11 A No. 12 Q I'm going to ask you some questions, and if you 13 don't understand the question, just tell me to 14 speak louder or to repeat it. All I want to do 15 is make sure you understand the question and that 16 you answer it and answer it fully. 17 A Okay. 18 Q And we can't nod our heads, we have to say "yes" 19 or "no," because she has to put it down. 20 A Right. 21 Q So everything we do here is being put down by 22 her. If you want to take a break, if you 23 can't -- if anything bothers you at all, other 24 than my appearance, which I can't do anything 25 about, then just let me know and you control the</p>	<p>1 Q What was your last job before you retired? 2 A Arco, Atlantic Richfield, Arco Oil & Gas in 3 Dallas. 4 Q Okay. 5 A No, correction. That should be '86, I think, '85 6 or '86. 7 Q At some point in time you moved back to Madison? 8 A Yes, '87. 9 Q 1987? 10 A Yes. 11 Q Did you decide to stay retired when you came back 12 in 1987? 13 A To a degree. I did work a couple jobs part time, 14 but I was mostly retired. 15 Q All right. Where did you live when you moved 16 back? 17 A 166 South Marquette. 18 Q Was that home your parents' home? 19 A Yes, yes. 20 Q Did you grow up in that house? 21 A Yes, I did. 22 Q When did your parents buy that house, if you 23 know? 24 A 1940. 25 Q Did they buy it new?</p>
Page 6	Page 8
<p>1 process. Okay? 2 A Okay. 3 Q Very good. So I'm going to start by asking you 4 for the record please state your name and spell 5 your last name. 6 A Sharon, S-H-A-R-O-N, Helmus, H-E-L-M-U-S. 7 Q And what's your current home address? 8 A 166 South Marquette, M-A-R-Q-U-E-T-T-E. 9 Q Can you briefly describe for me what your 10 educational background is? 11 A High school. 12 Q And where did you graduate? 13 A Madison East. 14 Q Right down the street? 15 A Yes, '57. 16 Q And since you graduated from high school, can you 17 briefly tell me what your work experience has 18 been? 19 A Secretarial. 20 Q And how many years were you in secretarial? 21 A Probably 30. 22 Q Have you retired? 23 A Yes. 24 Q When did you retire? 25 A 1987.</p>	<p>1 A Yes. 2 Q Did they have it built? 3 A Yes. 4 Q Okay. So you actually grew up in that house? 5 A Yes. 6 Q When is your first recollection of Madison-Kipp? 7 A It was there. I never thought about anything, 8 never thought about any problems. It was just 9 there. You are aware of it. 10 Q How is your house heated now? 11 A Central air. 12 Q Okay. And do you have a furnace? 13 A Yes. 14 Q And do you have forced air or a radiator? 15 A I don't know how to answer that. We had central 16 air put in in 2000, 2002, '1 or '2, I can't 17 remember. Before that it was oil. 18 Q Oil? 19 A Yes. 20 Q Okay. Do you have an oil furnace in the 21 basement? 22 A Yes. 23 Q And did you have radiators or has it always been 24 forced air with -- 25 A Forced air, I guess.</p>

Page 9	Page 11
<p>1 Q Okay. Do you know when the oil burner was put in 2 the basement? Was it original? 3 A Original? No, I don't think so. 4 Q Okay. Do you know if you ever used coal? 5 A No. 6 Q Have you ever smoked in that house? 7 A Not since '93. 8 Q You quit in 1993? 9 A No, my folks did. I didn't. 10 Q Okay. So when you moved back in 1987 or '86, who 11 lived in the house other than you? 12 A Both parents. 13 Q And how long did they live there? 14 A They lived there -- Let's see. I think my father 15 died in '93 and mother in early '03. 16 Q Do you live there by yourself now? 17 A Yes. 18 Q Has anyone ever lived there other than your 19 parents and you? 20 A No. A sister, but -- 21 Q When did she move out? 22 A In the '60s. 23 Q Do you have a basement in your house? 24 A Yes. 25 Q How do you use it?</p>	<p>1 will say. 2 Q Were you invited to a meeting there? 3 A Yes. 4 Q And it was at Kipp's offices? 5 A Yes. 6 Q Do you know who ran the meeting? 7 A DNR, and I do not remember who was there. 8 Q What do you recall being said at that meeting? 9 A I couldn't hear a lot, but just that chemicals 10 were being leached into the property. 11 Q Prior to that time you had not had any concerns 12 about Madison-Kipp? 13 A Other than I knew they were there, no, not 14 really. 15 Q All right. After that meeting what do you 16 recall, if anything, occurring with regard to 17 your house? 18 A Testing and being -- going to DNR's website and 19 becoming more upset, more concerned. 20 Q If you look at the first documents, and just -- I 21 will take those others away from you. If you 22 want to take that clip off, if you look at the 23 bottom, there's some numbers. Do you see the 24 numbers on the bottom? 25 A Okay.</p>
Page 10	Page 12
<p>1 A As a junk room and laundry. 2 Q Has that changed at all since you moved back in 3 1986? 4 A No. 5 Q Do you have a mortgage on your house? 6 A No. 7 Q Did you ever have a mortgage on your house? 8 A I don't remember. 9 Q Okay. Did you buy your house from your parents? 10 A No, it was just passed down. 11 Q Okay. Do you remember in the 1990s some issues 12 with regard to a new smokestack at Madison-Kipp? 13 A Yes, I do. 14 Q Okay. And were you involved at all in 15 neighborhood discussions about that? 16 A No, I was not. 17 Q Okay. Prior to that do you recall any 18 neighborhood discussions at all about any 19 environmental issues with regard to Madison-Kipp? 20 A No. 21 Q When was if first time, if you recall, that 22 anyone expressed any environmental concerns about 23 your house? 24 A At the 4/18/11 meeting in Kipp's offices, and 25 that was not a very nice 70th birthday present, I</p>	<p>1 Q All right. Now I have been told that you were 2 asked to put together -- to find all the 3 documents that you had. 4 A Yes. 5 Q And I'm told these are the ones that you had. If 6 you want to take a short look and see if 7 that's -- if that's true. 8 A Yes. 9 Q Okay. If you keep them in order, I will be 10 asking you questions about some of those 11 documents. Okay? 12 A Okay. I might have to blow my nose from time to 13 time. 14 Q That's fair. If you take a look at Pages 23 and 15 4, if you would take a moment and look at them 16 and see if, to your knowledge, if there's 17 anything in there that looks inaccurate. 18 A Which is not right? 19 Q Correct. 20 A As far as I can tell, it looks all right. 21 Q Okay. Thank you. If you have that in front of 22 you and you take a look at Pages 51 through 55; 23 they are stapled together. That's an Indoor Air 24 Quality Building Survey that was done on about 25 April 25, 2012. Have you seen this document</p>

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<p>1 before?</p> <p>2 A No.</p> <p>3 Q Do you recall somebody coming through your house</p> <p>4 and doing a survey of the indoor air?</p> <p>5 A Yes, I remember that.</p> <p>6 Q If you would take a moment and kind of read</p> <p>7 through this and tell me if there's anything in</p> <p>8 here that you believe to be inaccurate.</p> <p>9 A Which is not right?</p> <p>10 Q Correct.</p> <p>11 A On Page 53, recent remodeling.</p> <p>12 Q Yes.</p> <p>13 A In '08 we had a new roof, all new glass windows</p> <p>14 and insulation put in the house. It's called</p> <p>15 weatherization.</p> <p>16 Q Okay.</p> <p>17 A That looks all right.</p> <p>18 Q Do you keep any cleaning solvents or paint in</p> <p>19 your basement?</p> <p>20 A No.</p> <p>21 Q Have you ever?</p> <p>22 A Not that I'm aware of.</p> <p>23 Q Do you keep any supplies in your basement at all?</p> <p>24 A No.</p> <p>25 Q If you would look at Pages 42 and 43, please.</p>	<p>1 Q Okay. If you look at the box on the bottom, do</p> <p>2 you see the box almost to the bottom? It says</p> <p>3 "Sample ID."</p> <p>4 A This one, yes (indicating).</p> <p>5 Q Okay. It indicates PCE results ND. When you</p> <p>6 read this, did you have any -- if you recall, did</p> <p>7 you have any reaction to this?</p> <p>8 A No. I don't remember, anyway.</p> <p>9 Q Okay. Do you believe as you sit here today that</p> <p>10 your house is worth less now than it was when you</p> <p>11 inherited it?</p> <p>12 A Yes.</p> <p>13 Q And why so?</p> <p>14 A Because of the contamination.</p> <p>15 Q Okay. And what about the contamination do you</p> <p>16 believe makes it worth less?</p> <p>17 A The cancer. I read the handouts from DNR.</p> <p>18 Q Yes.</p> <p>19 A And cancer was always mentioned.</p> <p>20 Q Okay. All right. And did someone tell you that</p> <p>21 the mere presence of, let's say -- Well, let's</p> <p>22 take that back.</p> <p>23 Have you heard the initials PCE?</p> <p>24 A Yes.</p> <p>25 Q All right. And is that one of the pollutants</p>
Page 14	Page 16
<p>1 This is a letter to you of 2012. Do you see</p> <p>2 that?</p> <p>3 A Yes.</p> <p>4 Q Now it references not only you, but Carla Mills.</p> <p>5 Do you see that?</p> <p>6 A That is my sister.</p> <p>7 Q Okay. And when was the last time your sister</p> <p>8 lived there?</p> <p>9 A '60s, I believe.</p> <p>10 Q Okay. So she doesn't live there now?</p> <p>11 A No.</p> <p>12 Q And has not lived there since you moved back?</p> <p>13 A No.</p> <p>14 Q Is she a co-owner of the property?</p> <p>15 A Yes.</p> <p>16 Q That's why her name appears sometimes?</p> <p>17 A Yes.</p> <p>18 Q But she doesn't live there?</p> <p>19 A No.</p> <p>20 Q Okay. Do you recall receiving this letter on or</p> <p>21 about May 11, 2012?</p> <p>22 A Yes.</p> <p>23 Q And it reports, does it not, the results of air</p> <p>24 testing at your house?</p> <p>25 A If I got them, I do not remember.</p>	<p>1 that is of concern to you?</p> <p>2 A Very much so.</p> <p>3 Q Okay. And is it your belief that the levels, if</p> <p>4 any, of PCE in your house are a health danger to</p> <p>5 you?</p> <p>6 A Yes.</p> <p>7 Q Did anyone tell you that?</p> <p>8 A No.</p> <p>9 Q But you are of that opinion?</p> <p>10 A Yes.</p> <p>11 Q What brought you to that opinion?</p> <p>12 A When I go to DNR's website and they mention that,</p> <p>13 the word cancer and breathing the fumes, et</p> <p>14 cetera.</p> <p>15 Q Have you talked to anybody about your house,</p> <p>16 anybody from the DNR about your house?</p> <p>17 A No.</p> <p>18 Q Have you talked to anybody from the Health</p> <p>19 Department about your house?</p> <p>20 A Not that I recall.</p> <p>21 Q Have you asked anybody to interpret the results</p> <p>22 of the testing done at your house to determine</p> <p>23 whether you are at any kind of risk?</p> <p>24 A No. Not that I recall, anyway.</p> <p>25 Q Okay. If you take a look at Page 37, this is a</p>

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<p>1 letter to you from the DNR, correct?</p> <p>2 A Yes.</p> <p>3 Q And it reports the results of some lab tests. If</p> <p>4 you look at your results about halfway down?</p> <p>5 A Yes.</p> <p>6 Q It says, "Attached is a copy of the WSLH lab</p> <p>7 report for your indoor lab sample." Do you see</p> <p>8 that?</p> <p>9 A Yes.</p> <p>10 Q "The results show that a small amount of PCE was</p> <p>11 detected in the sample taken from the indoor air</p> <p>12 sample." Do you see that sentence?</p> <p>13 A Yes.</p> <p>14 Q Then it says, "However, these levels are below</p> <p>15 that which is considered potentially harmful to</p> <p>16 human health." Do you see that sentence?</p> <p>17 A Yes.</p> <p>18 Q Do you have any reason to disbelieve the</p> <p>19 statement made by Ms. Hanefeld that the levels at</p> <p>20 your house are below those considered potentially</p> <p>21 harmful to human health?</p> <p>22 A I'm not sure.</p> <p>23 Q Have you asked anybody to -- whether</p> <p>24 Ms. Hanefeld's statement is accurate?</p> <p>25 A No.</p>	<p>1 concerns about your house?</p> <p>2 A No.</p> <p>3 Q Do you have what's called a sub-slab extraction</p> <p>4 system in your house?</p> <p>5 A Is that what it's called?</p> <p>6 Q You do, do you not?</p> <p>7 A Yes.</p> <p>8 Q Do you know when that was put in?</p> <p>9 A No.</p> <p>10 Q Do you know what its purpose is?</p> <p>11 A No.</p> <p>12 Q Did it make you feel any more secure in your home</p> <p>13 from a health perspective?</p> <p>14 A Not really.</p> <p>15 MR. BUSCH: Okay. Would you, Ed, would</p> <p>16 you mind stipulating that 2, 3 and 4 are what</p> <p>17 they purport to be?</p> <p>18 MR. MANZKE: Do you want me to just read</p> <p>19 them, John?</p> <p>20 MR. BUSCH: Sure, just read them out.</p> <p>21 MR. MANZKE: Helmus Exhibit No. 2, Class</p> <p>22 Members' (Sharon Helmus and Carla Mills) Answers</p> <p>23 to Defendant Madison-Kipp Corporation's First Set</p> <p>24 of Interrogatories.</p> <p>25 Helmus Exhibit No. 3, Class Members'</p>
Page 18	Page 20
<p>1 Q Have you had your soil sampled, too?</p> <p>2 A I think so.</p> <p>3 Q Okay. All right. If you'd look at Pages 9</p> <p>4 through 11.</p> <p>5 A Okay.</p> <p>6 Q Do you see that letter? That's a letter of</p> <p>7 July 20, 2012 to you. Do you see that?</p> <p>8 A Yes.</p> <p>9 Q Have you ever heard the term VOC?</p> <p>10 A What?</p> <p>11 Q VOC?</p> <p>12 A No.</p> <p>13 Q Do you recall receiving this letter?</p> <p>14 A Yes.</p> <p>15 Q It says at the very last line, it says, "No VOCs</p> <p>16 were detected in any sample." Do you see that?</p> <p>17 A Repeat that.</p> <p>18 Q On the bottom it says, "No VOCs were detected in</p> <p>19 any sample." Do you see that?</p> <p>20 A Yes.</p> <p>21 Q Do you recall learning that at some point in</p> <p>22 time?</p> <p>23 A No, I do not recall.</p> <p>24 Q As you sit here today, does that give you any</p> <p>25 additional comfort in regard to your health</p>	<p>1 (Sharon Helmus and Carla Mills) Answers to</p> <p>2 Defendant United States Fire Insurance Company's</p> <p>3 First Set of Interrogatories.</p> <p>4 Exhibit No. 4, Helmus No. 4, Class</p> <p>5 Members' (Sharon Helmus and Carla Mills)</p> <p>6 Responses to Defendant Madison-Kipp Corporation's</p> <p>7 First Set of Requests for Documents and Things.</p> <p>8 Helmus No. 5, Class Members' (Sharon</p> <p>9 Helmus and Carla Mills) Responses to Defendant</p> <p>10 United States Fire Insurance Company's First Set</p> <p>11 of Requests for Production.</p> <p>12 MR. BUSCH: And I'll represent to you</p> <p>13 that those are complete sets. Will you stipulate</p> <p>14 that's what they purport to be?</p> <p>15 MR. MANZKE: Yes.</p> <p>16 MR. BUSCH: Good. You don't have to</p> <p>17 look at them. Okay?</p> <p>18 THE WITNESS: Okay.</p> <p>19 MR. BUSCH: You are welcome to, but you</p> <p>20 don't have to.</p> <p>21 BY MR. BUSCH:</p> <p>22 Q How often do you use your basement?</p> <p>23 A When I do laundry two to three times a week.</p> <p>24 Q Has that been the case since you moved back in</p> <p>25 1986?</p>

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1 A Yes.
 2 Q Have you reduced the amount of time that you
 3 spend in the basement since 2011?
 4 A I do not dawdle down there anymore, so yes is the
 5 answer, I guess.
 6 Q Do you believe that your home has lost value in
 7 the last two years?
 8 A Absolutely.
 9 Q Have you done anything to investigate what the
 10 value of your house is?
 11 A No.
 12 Q Have you hired an appraiser?
 13 A No.
 14 Q Have you contacted any real estate agents?
 15 A No.
 16 Q Do you have a desire to sell your house
 17 currently?
 18 A No.
 19 Q Have you issued any or have you appealed to the
 20 city assessor the valuation that the assessor put
 21 on your house?
 22 A Once.
 23 Q When was that?
 24 A I do not remember.
 25 Q Was it before 2011?

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1 A Yes.
 2 Q Was it before 2010?
 3 A Yes, I think it was.
 4 Q Do you remember why you thought -- Did you think
 5 the assessment was too high?
 6 A Yes.
 7 Q And did you --
 8 A Kipp.
 9 Q Did you get it knocked down?
 10 A Yes.
 11 Q So when was that, do you know?
 12 A I don't remember. I want to say 10,000.
 13 Q And was it in the last five years?
 14 A Probably closer to '10.
 15 Q And it was because Kipp was close to you?
 16 A Yes.
 17 Q It wasn't because of any pollution, it was just
 18 that they were close to you?
 19 A Yes.
 20 MR. BUSCH: Why don't we take two
 21 minutes or five minutes, I want to talk to my
 22 colleagues, and I will be right back.
 23 (A recess was taken.)
 24 BY MR. BUSCH:
 25 Q Ms. Helmus, where does your sister live?

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1 A On 225 South Kenosha, west side, west side of
 2 Madison.
 3 Q Okay. Have you made any requests either to
 4 Madison-Kipp or to the DNR that you believe they
 5 have not fulfilled your requests?
 6 A Not that I recall.
 7 MR. BUSCH: Okay. Thank you very much.
 8 There are some other guys here that may want to
 9 ask some questions.
 10 EXAMINATION
 11 BY MR. WHITE:
 12 Q Good afternoon, Ms. Helmus. Can you hear me?
 13 A A little louder, but, okay, go.
 14 Q My name is Chris White, and I represent two of
 15 Madison-Kipp's insurance companies. I have just
 16 a few questions.
 17 A Okay.
 18 Q Right before you moved back to Madison after you
 19 retired, did I understand that you were living in
 20 Dallas?
 21 A Yes.
 22 Q How long did you live in Dallas for?
 23 A '57 to '87.
 24 Q Okay. Do you know when your home was constructed
 25 if any asbestos was used in the construction of

Page 24

1 the house?
 2 A Not that I'm aware of.
 3 Q Did you or your parents ever make any effort to
 4 have your home inspected for asbestos?
 5 A Not that I'm aware of.
 6 Q Okay. And did you or your parents make any
 7 efforts to have any asbestos that might have been
 8 in there removed from the house?
 9 A Again, not that I'm aware of.
 10 Q Do you know when your house was built?
 11 A 1940.
 12 Q Okay. Do you know when your house was built if
 13 the paint that was used to paint it contained any
 14 lead?
 15 A No, but we did have it repainted fully in 1993.
 16 Q Okay. Do you know before it was repainted in
 17 1993 if you or the person that you hired to do it
 18 tested the paint to see if it was lead
 19 containing?
 20 A No.
 21 MR. WHITE: That's all I have. Thank
 22 you.
 23 EXAMINATION
 24 BY MR. CONDON:
 25 Q Ms. Helmus, my name is Jacques Condon. I have a

Page 25

1 few questions.
 2 A Okay.
 3 Q What year were you born?
 4 A '39.
 5 Q 1939?
 6 A Yes.
 7 Q And you moved here around 1940 when the house was
 8 built, right?
 9 A Yes.
 10 Q What was the community like when you moved in?
 11 You were young then, but when you grew up here, a
 12 lot of open lots? A lot of homes?
 13 A There was only one empty lot that I recall.
 14 Q Did the people who lived around here, did they
 15 work for Madison-Kipp?
 16 A Not that I was aware of. Only my one friend's
 17 father did, but that was it.
 18 Q Where did most of the workers come from, do you
 19 know?
 20 A No, I don't.
 21 Q Now when you lived in Dallas starting in 1957,
 22 did you come back to Wisconsin to visit?
 23 A Yes.
 24 Q Quite often?
 25 A Yes, quite often.

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1 Q Any of those times did you ever see anybody
 2 dumping anything or anything going on at
 3 Madison-Kipp like that?
 4 A Not that I was aware of.
 5 Q Did you ever have any discussions with your
 6 parents about some problems they were having with
 7 Madison-Kipp, anything like that?
 8 A Not that I was aware of.
 9 Q Anybody in your family ever work for
 10 Madison-Kipp?
 11 A No.
 12 Q What kind of neighborhood is this right now? Is
 13 it friendly? A lot of young people? Old people?
 14 How does it work?
 15 A Very friendly. Young families, most with young
 16 children I'd say under the age of 10, living in
 17 the 100 block.
 18 Q Has it been that way for a long time or how has
 19 it changed?
 20 A Almost since I can remember. There are a few
 21 families up the street, but the majority were on
 22 the dead end in the 100 block.
 23 Q Is it a safe community?
 24 A Pardon?
 25 Q Safe community?

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1 A Very safe. That's why people live there.
 2 MR. CONDON: Those are all the questions
 3 I have. Thank you.
 4 THE WITNESS: You are welcome.
 5 MR. COHEN: You did such a good job, I
 6 don't have any questions.
 7 THE WITNESS: Are you sure?
 8 MR. COHEN: I'm positive.
 9 MR. MANZKE: We will reserve signature
 10 and we will go see if our next witness is here.
 11 (At 2:48 p.m. the deposition concluded.)
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1 CERTIFICATE OF WITNESS
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 3
 4 I, SHARON HELMUS, have read the
 5 foregoing page and the corrections, if any, having been
 6 noted. The same is now a true and correct transcript
 7 of my testimony.
 8
 9 _____
 10 SHARON HELMUS
 11
 12
 13 STATE OF WISCONSIN)
 14 _____ COUNTY)
 15
 16 Subscribed and sworn to before me this
 17 ____ day of _____, 2013.
 18
 19 _____
 20 Notary Public
 21 In and for the State of Wisconsin
 22 My commission expires _____, ____.
 23
 24
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<p>1 STATE OF WISCONSIN) 2 MILWAUKEE COUNTY) 3 I, KATHY A. HALMA, Registered 4 Professional Reporter and Notary Public in and for the 5 State of Wisconsin, do hereby certify that the 6 deposition of SHARON HELMUS, was taken before me at the 7 Goodman Community Center, 149 Waubesa Street, Madison, 8 Wisconsin, on the 17th day of December, 2012, 9 commencing at 2:16 o'clock in the afternoon. 10 That it was taken at the instance of the 11 Defendants upon verbal interrogatories. 12 That said statement was taken to be used 13 in an action now pending in the UNITED STATES DISTRICT 14 COURT FOR THE WESTERN DISTRICT OF WISCONSIN, in which 15 KATHLEEN MC HUGH, et al., are the Plaintiffs and 16 MADISON-KIPP, et al., are the Defendants and 17 MADISON-KIPP CORPORATION is the Cross-Claimant and 18 CONTINENTAL CASUALTY COMPANY, et al., are the 19 Cross-Complainants and LUMBERMENS MUTUAL CASUALTY 20 COMPANY are the Third-Party Defendants. 21 A P P E A R A N C E S 22 THE COLLINS LAW FIRM, P.C, 1770 North 23 Park Street, Suite 200, Naperville, Illinois, 60563, by 24 MR. EDWARD J. MANZKE, ejmanzke@collinslaw.com, appeared 25 on behalf of the Plaintiffs. VARGA, BERGER, LEDSKY, HAYES & CASEY, 125 South Wacker Drive, Suite 1250, Chicago, Illinois,</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>Notary Public in and for the State of Wisconsin</p> <p>Dated this 30th day of December, 2012, Milwaukee, Wisconsin.</p>
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<p>1 60606-4473, by MR. MICHAEL D. HAYES, mhayes@vblhc.com, 2 appeared on behalf of the Plaintiffs. 3 MICHAEL, BEST & FRIEDRICH, LLP, 100 East 4 Wisconsin Avenue, Milwaukee, Wisconsin, 53202, by MR. 5 JOHN A. BUSCH, jabusch@michaelbest.com, appeared on 6 behalf of Madison-Kipp Corporation. 7 MICHAEL, BEST & FRIEDRICH, LLP, One 8 South Pinckney Street, Suite 700, Madison, Wisconsin, 9 53703, by MS. LEAH H. ZIEMBA and MR. ALBERT BIANCHI, 10 JR., lhziemba@michaelbest.com and 11 abianchi@michaelbest.com, appeared on behalf of 12 Madison-Kipp Corporation. 13 TROUTMAN SANDERS, LLP, 55 West Monroe 14 Street, Suite 3000, Chicago, Illinois, 60603-5758, by 15 MR. CHRISTOPHER H. WHITE, 16 christopher.white@troutmansanders.com, appeared on 17 behalf of the Defendant Continental Casualty Company. 18 MEISSNER, TIERNEY, FISHER & NICHOLS, 19 S.C., 111 East Kilbourn Avenue, 19th Floor, Milwaukee, 20 Wisconsin, 53202-6622, by MR. MICHAEL J. COHEN, 21 mjc@mtfn.com, appeared on behalf of United States Fire 22 Insurance Company. 23 HALE & WAGNER, S.C., 839 North Jefferson 24 Street, Suite 400, Milwaukee, Wisconsin, 53202, by MR. 25 JACQUES C. CONDON, jcc@halewagner.com, appeared on behalf of American Motorists Insurance Company. That said deponent, before examination, was sworn to testify the truth, the whole truth, and nothing but the truth relative to said cause. That the foregoing is a full, true and correct record of all the proceedings had in the matter of the taking of said deposition, as reflected by my original machine shorthand notes taken at said time and place.</p>	