2/21/13

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UNITED STATES DISTRICT COURT		1 INDEX SEE
WESTERN DISTRICT OF WISCONSIN		2 KATHLEEN M. MC HUGH
KATH FENIM HIGH A DEADLA	······································	3 By Mr. Bianchi
KATHLEEN McHUGH, and DEANNA SCHNEIDER, Individually and on behalf		4 By Mr. White
of all persons similarly situated,		5 By Ms. Kreillandinandinandinandinandinandinandinan
Plaintiffs,		6 EXHIBITS
vs. CASE NO. 11-CV-724 MADISON-KIPP CORPORATION,		7 No. 1 Discovery Documents; PLF_146_S_MARQ_000001
CONTINENTAL CASUALTY COMPANY,		8 to 0000045
UNITED STATES FIRE INSURANCE		9 No. 2 Answers to Defendant Madison-Kipp Corporation's
COMPANY and ABC INSURANCE COMPANIES 1-50,		10 First Set of Interrogatories
Defendants (4877) 111		No. 3 Answers to Defendant United States Fire
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MADISON-KIPP CORPORATION,		13 Interrogatories.
Cross-Claimant,		14 No. 4 Responses to Defendant Madison-Kipp
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COLUMBIA CASUALTY COMPANY and UNITED STATES FIRE INSURANCE		16 Documents and Things5
COMPANY		17 No. 5 Responses to Defendant United States Fire
ovali pay smorp an work (18 Insurance Company's First Set of Requests
Cross-Claim Defendants, Carting and Carting		19 for Production 5
(Caption continued)	<u>) 11</u> 4	20 No. 6 Responses to Defendant Madison-Kipp
DEPOSITION OF		21 Corporation's First Set of Requests for
KATHLEEN M. MC HUGH		22 Documents and Things5
Madison, Wisconsin February 21, 2013		23 अवस्तानके कार्य । पूरा सीवा की कर क
12:07 p.m. to 12:52 p.m.		24
Kathy A. Halma, RPR		25 (14) terrata 20% (18) (3)
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1 CONTINENTAL CASUALTY COMPANY and	Page 2	1 (The original transcript was sent to Attorney
CONTINENTAL CASUALTY COMPANY and COLUMBIA CASUALTY COMPANY,	Page 2	1 (The original transcript was sent to Attorney Bianchi.)
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Page 5		Page 7
1 TRANSCRIPT OF PROCEEDINGS	1	A Since 2007, June 2007.
2 (Exhibits 1 through 6 were marked.)	2	Q And where did you work prior to that?
3 KATHLEEN M. MC HUGH, called as a witness	3	A Working Partnerships, LLC.
4 herein by the Defendants, after having been first	4	Q And what is Working Partnerships, LLC?
5 duly sworn, was examined and testified as	5	A I was a job coach for developmentally-disabled
6 follows:	6	adults.
7 ₂₈ and the examination and experience of the examination of the examination of the examination of the examination of the example of the ex	7	Q How long did you work at Working Partnerships,
8 BY MR. BIANCHI:	8	LLC?
9 Good afternoon. Will you please state and spell	9	A One year.
your full name for the record.	10	Q So from 2006 to 2007?
A Kathleen, K-A-T-H-L-E-E-N, Mary, M-A-R-Y, McHugh,	11	A Um-hum.
12 M-C-H-U-G-H _{colored} (12 m-C-H-U-G-H _{colore}	12	Q How about the job before that?
13 Q And what is your home address?	13	A Plexus Corp.
14 A 146 South Marquette Street, Madison, Wisconsin,	14	Q What is Plexus Corp?
15 53704.3 *** part of a region of the design of a region of the design	15	A Manufactures pick and play circuit boards.
16 MR. BIANCHI: And just kind of a	16	Q What did you do there?
procedural thing. There are actually 2 through	17	A I was a machine operator.
18 6, because there was two responses to the	18	Q How long were you there?
document requests, one before the class was	19	A Six years.
20 certified and one was after, so just confirm	20	Q Was that all through college then?
those are what they say.	21	A Yes.
22 MR. MANZKE: Yes, Exhibits 2 through 6	22	Q And where is that located?
23 are the plaintiffs' responses to those discovery	23	A Neenah, Wisconsin.
	24	
24 requests. 25 BY MR. BIANCHI:	25	
23 BI W.R. BIANCHI.	2.5	A 2001, 1 believe.
Page 6	ii apresi	Page 8
1 Q Okay. And Ms. McHugh Is it McHugh?	1	Q And you said you graduated from UW-Oshkosh in
2 A McHugh, and it sounds like McHugh. Sorry.	2	'04?
3 Q No, no, I just want to make sure I say it right.	3	A Um-hum. Yes, I did drive that.
4 Ms. McHugh, what's your educational background?	4	Q Wow. Very impressive. And who currently lives
5 A I have a bachelor's in social work and I'm	5	at the home at 146 Marquette with you?
6 currently working on my Montessori certification.	6	A My husband, Eric Fuller.
7 Q And where did you get your bachelor's from?	7	Q Anyone else?
8 A UW-Oshkosh.	8	A My two daughters.
9 Q And what year did you graduate?	9	Q And when you moved to Madison in 2011 or, sorry,
10 A 2004.	10	2001, were you already married?
11 Q And when will you complete your certificate or	11	A No.
12 intend to complete your certificate?	12	Q When did you get married?
13 A End of March, 2013.	13	A October of 2002.
14 Q And are you currently employed?		
	14	Q And I believe you purchased the home at 146
15 A Yes.	14 15	
15 AYes.	i	Q And I believe you purchased the home at 146
15 A Yes.	15	Q And I believe you purchased the home at 146Marquette in 2006, is that correct?A Um-hum, yes.
 15 A Yes. 16 Q Who is your employment? 17 A Toad Hill Children's House. 	15 16	Q And I believe you purchased the home at 146 Marquette in 2006, is that correct? A Um-hum, yes.
 15 A Yes. 16 Q Who is your employment? 17 A Toad Hill Children's House. 18 Q And what do you do there? 	15 16 17	 Q And I believe you purchased the home at 146 Marquette in 2006, is that correct? A Um-hum, yes. Q And where did you live before that in Madison
 15 A Yes. 16 Q Who is your employment? 17 A Toad Hill Children's House. 18 Q And what do you do there? 19 A I'm the lead teacher in the classroom for two and 	15 16 17 18	 Q And I believe you purchased the home at 146 Marquette in 2006, is that correct? A Um-hum, yes. Q And where did you live before that in Madison before 2006? A The house next door.
15 A Yes. 16 Q Who is your employment? 17 A Toad Hill Children's House. 18 Q And what do you do there? 19 A I'm the lead teacher in the classroom for two and one-half to six-year-olds.	15 16 17 18 19	 Q And I believe you purchased the home at 146 Marquette in 2006, is that correct? A Um-hum, yes. Q And where did you live before that in Madison before 2006? A The house next door. Q And was that
15 A Yes. 16 Q Who is your employment? 17 A Toad Hill Children's House. 18 Q And what do you do there? 19 A I'm the lead teacher in the classroom for two and one-half to six-year-olds. 20 Q And that's a Montessori school, I take it?	15 16 17 18 19 20 21	 Q And I believe you purchased the home at 146 Marquette in 2006, is that correct? A Um-hum, yes. Q And where did you live before that in Madison before 2006? A The house next door. Q And was that A It's a rental.
15 A Yes. 16 Q Who is your employment? 17 A Toad Hill Children's House. 18 Q And what do you do there? 19 A I'm the lead teacher in the classroom for two and one-half to six-year-olds. 20 Q And that's a Montessori school, I take it? 22 A Yes.	15 16 17 18 19 20 21 22	 Q And I believe you purchased the home at 146 Marquette in 2006, is that correct? A Um-hum, yes. Q And where did you live before that in Madison before 2006? A The house next door. Q And was that A It's a rental. Q What number is that?
15 A Yes. 16 Q Who is your employment? 17 A Toad Hill Children's House. 18 Q And what do you do there? 19 A I'm the lead teacher in the classroom for two and one-half to six-year-olds. 21 Q And that's a Montessori school, I take it? 22 A Yes. 23 Q Where is that located?	15 16 17 18 19 20 21 22 23	 Q And I believe you purchased the home at 146 Marquette in 2006, is that correct? A Um-hum, yes. Q And where did you live before that in Madison before 2006? A The house next door. Q And was that A It's a rental. Q What number is that? A 142.
15 A Yes. 16 Q Who is your employment? 17 A Toad Hill Children's House. 18 Q And what do you do there? 19 A I'm the lead teacher in the classroom for two and one-half to six-year-olds. 20 Q And that's a Montessori school, I take it? 22 A Yes.	15 16 17 18 19 20 21 22	 Q And I believe you purchased the home at 146 Marquette in 2006, is that correct? A Um-hum, yes. Q And where did you live before that in Madison before 2006? A The house next door. Q And was that A It's a rental. Q What number is that?

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	Page 11
1 Q So basically from the time you got married until	1 wood burning stove. It's not a fireplace where
2 you purchased the home at 146?	2 it's open.
3 A Yes.	3 Q Gotcha. And how do you use the basement at 146
4 Q How about before that?	4 Marquette?
5 A Just before that we lived in a flat on Buena	5 A Storage and laundry.
6 Vista Street, which is about two blocks away from	6 Q And what do you store down there?
7 Marquette.	7 A Camping stuff, Christmas decorations, stuff like
8 • Q And do you smoke?	8 that.
9 "A No. 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	9 Q Do you store any paint down there?
10 Q And does your husband smoke?	10 A I believe there are a couple cans of paint down
11 TANO. PERROPERTURA DE CARRO	11 and there, yes. The reserve stationary makes
12 Q I'm going to have you look at what's been marked	12 Q Do you know if it's paint for painting the
as Exhibit No. 1. If you look in the lower,	13 outside of the home or the inside?
14 right-hand corner, those are Bates numbers. Just	14 A Inside. The stuff for the outside is in the
look at the Pages 2 and 3, the property search	15 garage.
16 details. Do you recognize this document?	16 Q Any kind of paint thinners in the basement?
17 se bab A' T do. est outstato and est sectivity of	17 Can A to No. W. many tolers are an arrest to
18 Q Can you just look at it and tell me if you if	18 Q Any kind of cleaning chemicals for cleaning your
there's anything incorrect on this property	car, cleaning your house in the basement?
20 detail sheet?	20 A Unh-unh, no.
21 A It all looks correct.	21 Q Any glue, any like hobby glue or woodworking
Q And then Page 4 shows the purchase of the home?	22 glue?
23 A Um-hum.	23 February I don't think so. 1 Common March 1981 Common Services
Q And it's broken up into two parts. Do you know	Q And you currently have a mitigation system in the
25 militar why that is? The much some square	25 Margard basement, is that correct?
Page 10	Page 12
1490 10	1490 12
1 A I haliana itle hadange the motion that mad living	1 · · · · · · · · · · · · · · · · · · ·
1 A I believe it's because the mother that was living	1 A Yes.
2 there, the elderly woman that was living there	2 Q I believe that was installed sometime in 2011, is
2 there, the elderly woman that was living there 3 passed away and it was divided up into because	2 PAGE Q AT believe that was installed sometime in 2011, is 3 PAGE AND THE TRANSPORTED TO THE PAGE AND THE PA
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	Page 13	Page 15
1	A About this?	1 A . I don't recall.
2	Q Correct.	2 Q Do you still have all the closing documents that
3	A No, not really. We have got maybe I had	3 you had when you purchased it?
4	something forwarded from a neighbor, but not, no.	4 A Yes.
5	Q Do you know the last time maybe that you emailed?	5 Q And so would it be in there, if you did receive
6	A About this?	6 some kind of disclosure?
7	Q About the lawsuit or about Kipp's contamination	7 A Yes.
8	issues, those sort of things.	8 Q Do you recall them telling you anything about
9	A No, I can't tell you for sure.	9 potentially contaminated soil at the property?
10	Q Have you emailed with anybody besides fellow	10 A No. 2 4 7 4 4 4 4 4
11	class members about potential Kipp contamination	11 Q They didn't talk about having received letters
12	issues? And, again, not including your lawyers.	12 from the WDNR?
13	A No.	13 A. No. (1911) 1811 1811 1811
14	Q How about your husband?	14 Q Were you aware of any of the testing that was
15	A No.	15 being done at the time?
16	Q Have you spoken with anyone that you would	16 A No.
17	consider an environmental professional or some	17 Q Would that have been something you would have
18	kind of scientist regarding the contamination?	wanted to know before you purchased the home?
19	A. No.	19 A Of course.
20	Q When you purchased the home in 2006, what kind of	Q Have you ever gone back to contact the one
21	due diligence or process did you use before you	daughter that approached you about purchasing the
22	purchased the home?	home, why they didn't tell you?
23	A The elderly woman who owned the property and	23 A No.
24	lived there with two of her daughters passed	Q Would you be surprised to know they had received
25	away, and the daughter who was not residing there	25 multiple letters about the testing before selling
}		
1		
	Page 14	Page 16
1	and her husband wanted to sell the property, so	1 grader on the home?
2	and her husband wanted to sell the property, so they approached us with an offer on the house,	1 grave on the home? A control was to be a second product of the home?
2	and her husband wanted to sell the property, so they approached us with an offer on the house, because they knew that we wanted to stay in the	the home? A I guess so. Q And that's something that you would have wanted
2 3 4	and her husband wanted to sell the property, so they approached us with an offer on the house, because they knew that we wanted to stay in the neighborhood.	1 the home? 2 A I guess so. 3 Q And that's something that you would have wanted 4 them to tell you?
2 3 4 5	and her husband wanted to sell the property, so they approached us with an offer on the house, because they knew that we wanted to stay in the neighborhood. Q So you did not use a realtor?	1 the home? 2 A I guess so. 3 Q And that's something that you would have wanted 4 them to tell you? 5 A Of course.
2 3 4 5 6	and her husband wanted to sell the property, so they approached us with an offer on the house, because they knew that we wanted to stay in the neighborhood. Q So you did not use a realtor? A No.	 the home? A I guess so. Q And that's something that you would have wanted them to tell you? A Of course. Q And do you currently have a mortgage on the home?
2 3 4 5 6 7	and her husband wanted to sell the property, so they approached us with an offer on the house, because they knew that we wanted to stay in the neighborhood. Q So you did not use a realtor? A No. Q So you said her two two of the daughters lived	 the home? A I guess so. Q And that's something that you would have wanted them to tell you? A Of course. Q And do you currently have a mortgage on the home? A Yes.
2 3 4 5 6 7 8	 and her husband wanted to sell the property, so they approached us with an offer on the house, because they knew that we wanted to stay in the neighborhood. Q So you did not use a realtor? A No. Q So you said her two two of the daughters lived with her, is that correct? 	 the home? A I guess so. Q And that's something that you would have wanted them to tell you? A Of course. Q And do you currently have a mortgage on the home? A Yes. Q Do you remember the last time you refinanced?
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2 3 4 5 6 7 8 9 10 11	and her husband wanted to sell the property, so they approached us with an offer on the house, because they knew that we wanted to stay in the neighborhood. Q So you did not use a realtor? A No. Q So you said her two two of the daughters lived with her, is that correct? A Yes. Q Do you remember their names? A Can I look?	1 the home? 2 A I guess so. 3 Q And that's something that you would have wanted them to tell you? 5 A Of course. 6 Q And do you currently have a mortgage on the home? 7 A Yes. 8 Q Do you remember the last time you refinanced? 9 A I didn't. I haven't refinanced. 10 Q Okay. And in Exhibit 1 on Page 2 there's the city's assessment tax assessment on the
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2 Q. And what did you think the impact was? 3 A. Well, it's not pretty. It's a finctory. Iman, 4 it's smokestacks, it's not trees or a lake. 5 Q. So did you think that made the value less than 6 what a similar house would be not located next to 7 a factory? 9 Q. And did you talk to any of the other, you know, having lived there talk to any of the other, 10 having lived there talk to any of the other, 11 neighbors about Kipp before you purchased the home? 12 have those? 13 A. I had asked a neighbor if they knew about any 14 contamination issues or of any problems with the 15 property, and nobody knew anything about the 16 property. Thark why fin very surprised that 16 property. Thark why fin very surprised that 17 there are letters stating that there were tests 18 done on the property before we bought it. Do you 19 have those? 20 Q. I might. I will have to 21 A. Maybe for after. 22 Q. **see if I have copies. Do you recall when you 23 first became aware of the alleged pollution 24 contamination issues that serve as the basis of 25 the current lawsuit? Page 18 Page 18 Page 18 Page 20 Page 20 A April 2011. 2 Q. And do you remember how you were informed? 3 A. We were invited to a meeting at Kipp Corporation. 4 Q. And what did you do after that meeting? 5 A. Cried. 5 Q. Did you contact the DNR to obtain any 2 additional ** 3 A. Ti was an assumption, since I was invited to the 2 meeting, and when they and element to the 3 surprised deal with any concern or fear you had adored deal with any concern or fear you had about the contamination. 16 Q. And do you know since that April 2011 meeting 2 your home has been tested for potential 2 contamination is not be neither or the potential 2 contamination is not be neither or the potential 2 contamination is not be neither or the result and any 3 distinct a milipation system put in, did you ask — do you recall if you asked to 4 No. I'm surprised that 4 A. Sorry. 2 A. We were invited to a meeting at Kipp Corporation. 4 A. Onall day ou was that meeting. 5 A. Cried. 6 Q. Did	1 A Probably, yes.	1 you know whether your property had any issues
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		Page 21	Page 23
1	O	And was that, do you remember, by phone or by	1 someone tell you it's unsafe to garden?
2		email?	2 A They told me to wash my hands. They told me not
3	A		3 to eat the food that I grew.
4	Q		4 Q Who told you that?
5	`	I believe it was at the July meeting.	5 A That would be the Health Department.
6	Q		6 Q Do you remember a specific name?
7	+ · · · · · · ·	test?	7 A Henry.
8	A		8 Q And he told Do you recall did he tell you that
9	А	would alleviate anything anyway, so they didn't	Q amonifically on et a monting generally?
10			and the state of t
11		want to spend the money to do the testing, they	and a control of the
12	0	just wanted to put the system in.	
13	Q	And did someone say that, they didn't want to	2 22.55/5/
1		spend the money to test?	The state of the s
14		Yes. Special section of the section	14 a fair AgaNorg was to a more inequality opens
15	Q	·	15 Q So even now with the mitigation system, do you
16	A		16 still believe it's unsafe to live in your home?
17 18	Q	3 3	17 - A Yes. way in up you have a group a group and
1.		On Page 3 Sorry. Exhibit 2, Page 3.	18 Q Why is that?
19		Okay.	19 A Because there's a direct pathway from Kipp 20 Corporation to my home. It's been proven because
20	Q	In (i) you note that the value of your home has	
21		been destroyed. Why is that?	it's there, and recent testing done at Kipp shows
22	A	Because I don't think that anyone would want to	22 an extreme amount of PCE on
23		buy my home with contamination when there are	23 their property and there's nothing to stop it
24		homes out there that aren't.	24 from coming to mine.
25	Q	And you believe that's true even with the	25 Q Are you aware of any of the ways that Kipp is
·····			
		Page 22	Page 24
1		_	-
1 2	A	mitigation system in it?	potentially remediating the PCE on its property?
	A Q	mitigation system in it? Yes.	potentially remediating the PCE on its property? A A I know that they have been testing, and I know
2	_	mitigation system in it? Yes.	potentially remediating the PCE on its property? A I know that they have been testing, and I know
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Page 25	Page 27
1 MR: MANZKE: Sure. 10 (60)	1 Samily anywhere else? The angle to the second of
2 - 1 - 2 - 1 - 2 - (A recess was taken.)	2 A I don't.
3 MR. BIANCHI: Just a couple more	Q I'm sorry if I already asked you this question,
4 of the services that we do not strike that	but did you previously ever have the home tested
5 BY MR. BIANCHI: TOTALE BELLEGIES TO SEE	5 for radon? And all the least of the figure
i con a construction of the contract of the co	6 A You did ask it, and we did not.
7 . 3 extraction system on Kipp's property right now	2 conj. mam. jeun ima, agam, gomg cuen is me
3 3 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	back yard meeting, do you I'm just trying to
A Million Company of the Company of	9 understand. So Henry told you that you should
Q And do you know where it's located in relation to	10 not garden based on the levels of PCE that were
11 your property? Are you aware of it?	in your back yard?
12 - mar Armyes on boundary and could select ()	12 A He said he wouldn't.
Q And that doesn't change your view as to the	13 Q That he wouldn't? 22d a bloomed (1)
effects of whether the PCE is going to come to	14 mails A server to the abolic and combild 7. Af
15: bestift byour property? sustaining a ten late. A	15 started Q' Okay; for the acceptance are something the
A From what I have seen, it's not doing a whole lot	16 A He didn't say garden as in like flower gardening,
17 right now, so no. ha water trades and the	he meant consuming the things that I had grown,
18 Q And what did you see? What's that based on?	because I'm an avid gardener or was. I grew a
A There's still an insurmountable amount of PCE in	19 lot of our food. I in grant have the
the ground. It's not fast enough for me.	20 MR. BIANCHI: That's all the questions
21 Q And where is the result that you are referring to	that I have, but some of the other gentlemen may
about the amount of the PCE in the ground?	22 and the strate some at language landens was lived
A The groundwater testing that they just did.	EXAMINATION PUT and lade 1.2
24 Q So it's your understanding that the vapors are	24 BY MR. WHITE:
25 coming from the groundwater?	25 Q Good afternoon. My name is Chris White. I
Page 26	Page 28
1 white Att I'm not sure. It's there, board and year	1 represent Continental Casualty Company and
2 Q And you referred to a back yard meeting with a	2 Columbia Casualty Company, which are a couple of
3 Henry from the Department of Health?	3 Madison-Kipp's past insurance companies. A
4 ** in Alla Yes adva popil a varietida la calunga	4 couple additional questions. The April 2011
Who else was present at that meeting, do you	5 meeting that you mentioned that was at
6 vs. par recall? strangers as a thing as a con-	6 Madison-Kipp, how many people were at that
7 A There was a woman, she was also from the Health	7 meeting? And by "how many people" I mean how
8 Department, and I don't remember her name.	8 many residents from the neighborhood.
9 Q Was it just the three of you?	9 A Are you including just households, because like
10 And Ad Yes. Harvague (break all got best open	10 my husband and I were there and our two kids. Do
Q So there was a woman from the Health Department,	11 you want number of people or households?
Henry from the Health Department and yourself?	12 Q How many households, if you know.
13 A Yes.	13 An Seven, I believe. harman and the second of the s
Q And do you know had your property been tested	Q Do you know if only those seven households were
yet? Had the soil been tested at that time?	15 invited to this meeting or if
16 A No. AND	16 A I don't know.
Q And if the testing of your soil for PCE had	Q Do you have any idea how it was determined that
results that were below government standards,	18 you would be invited to this particular meeting?
that wouldn't change your view of use of the	19 A I don't know. A supposed the subsequent
20 property?	20 Q How old are your children?
21 A No. striction a temperatural parties of	21 had A (Ten and seven. as the base of the seven to the
Q Why is that?	22 And what is your birthday?
A It's there and I did not put it there.	23 A August 2, 1973. 2010 A de Carron appendie 1970
Q Do you know if the amounts are similar to amounts	Q On January 1 of 1980, where were you living?
that can be found in any other back yards	25 Wabeno, Wisconsin.
	,

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Page 29	Page 31
1 Q How long did you continue to live in Wabeno,	1 why couldn't you rent your home out?
2 Wisconsin?	2 A It's a family home, and I don't want to rent to
3 A Until I was 18.	3 another family with children. It's not a rental
4 Q When did you turn 18?	4 unit where it's two the flats or it's designed to
5 A You want me to do the math? 1991.	5 be a rental. It's a family home. I can't put
6 Q Your husband is Eric Fuller?	6 another family in there.
	7 At the time you purchased the house, had you
8 Q You were married in 2002?	8 heard of any issues Do you need a minute?
9 Barrier A. Yes. And the standard of the stan	
The state of the s	10 PYMP, WHITE:
11 getting married? Starty glossy analy av	11 BY MR.; WHITE: may so A Cyperson again.
12 A Yes. (arthurw of bires)	12 Q At the time you purchased the house, were you
13 Q Where did he live? What was not said to the live?	13 aware of any issues involving air pollution from
14 A Madison for a little while. Fond du Lac is where	14 Change a Madison-Kipp? A contractive to the the
he was born and grew up. Fond du Lac, Wisconsin.	15 A I did not experience any. Being that I lived in
16 Let me put it this way. Do you know where your	16 the neighborhood before that, I had never
17 husband was living on January 1st of 1980?	experienced any air pollution issues.
18 A No. I can guess, but no. I will say no.	18 Q Had you heard about any previous air pollution
Q Was it most likely in Fond du Lac?	193 4337, etc. issues? Annual page in a little of codit. The second second is the codit of the second secon
20 A Most likely it was in Fond du Lac, Wisconsin.	20 A I had heard about some in the past.
21 Q Is it your understanding that between 1980 and	21 What had you heard about air pollution prior to
22 1987 your husband would have been living in Fond	22 your decision to purchase the home?
du Lac that entire time?	23 A They had gone over particulate matter emission
24 A Yes. Highly Avairs 5	24 levels. That the air quality was bad. I believe
25 Q In this lawsuit are you claiming that you	25 this was happening before we were in the
	<u>}</u>
Page 30	Page 32
1 sustained any damages that occurred between	1 neighborhood. We had spoken to some other
1 sustained any damages that occurred between 2 January 1st of 1980 and January 1st of 1987?	neighborhood. We had spoken to some other neighbor who raised their children in the
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Page 35
Page 35 STATE OF WISCONSIN) MILWAUKEE COUNTY) I, KATHY A. HALMA, Registered Professional Reporter and Notary Public in and for the State of Wisconsin, do hereby certify that the deposition of KATHLEEN M. MC HUGH, was taken before me at the law offices of MICHAEL, BEST & FRIEDRICH, LLP, One South Pinckney Street, Suite 700, Madison, Wisconsin, on the 9th day of January, 2013, commencing at 12:07 o'clock in the afternoon. That it was taken at the instance of the Defendants upon verbal interrogatories. That said statement was taken to be used in an action now pending in the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN, in which KATHLEEN MC HUGH, et al., are the Plaintiffs and MADISON-KIPP, et al., are the Defendants and MADISON-KIPP CORPORATION is the Cross-Claimant and CONTINENTAL CASUALTY COMPANY, et al., are the Cross-Complainants and LUMBERMENS MUTUAL CASUALTY COMPANY are the Third-Party Defendants. A P P E A R A N C E S 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.
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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. MICHAEL, BEST & FRIEDRICH, LLP, One South Pinckney Street, Suite 700, Madison, Wisconsin, 53703, by MS. LEAH H. ZIEMBA and MR. ALBERT BIANCHI, JR., Ihziemba@michaelbest.com and abianchi@michaelbest.com, appeared on behalf of Madison-Kipp Corporation. 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. MEISSNER, TIERNEY, FISHER & NICHOLS, S.C., 111 East Kilbourn Avenue, 19th Floor, Milwaukee, Wisconsin, 53202-6622, by MS. JENNIFER KREIL, jbk@mtfn.com, appeared on behalf of United States Fire lnsurance Company. NISTLER LAW OFFICE, S.C., 3235 North 124th Street, Brookfield, Wisconsin, 53005, by MR. JACQUES C. CONDON, icondon@nistlerlaw.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.

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		13 Deposition of Nathreen	
Page	e 37		
1 2 3 3 4 5 6 Notary Public in and 7 for the State of Wisconsin 8 9 10 Dated this 25th day of February, 2013, Milwaukee, Wisconsin. 12 13 14 15 16 16 17 18 18 18 18 18 18 18 18 18 18 18 18 18			
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