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Subject	Date
U.S. vs. BINGHAM, et al. Civil #88-3011 USAtty No. 88-0570	May 2, 1990

To

Ms. Monica Kirk, Esq.
Regional Counsel
U.S. EPA, Region 10
1200 Sixth Avenue
Seattle, WA 98101

From

Mr. Warren S. Derbidge
Assistant U.S. Attorney
Federal Building, Box 037
550 West Fort Street
Boise, Idaho 83724

Enclosed please find the following:

Letter from C. Ben Martin, dated April 30, 1990

Answers to Interrogatories to Defendant Warren Bingham

USEPA RCRA
3009311

LAWYER
C. BEN MARTIN
STATEHOUSE CENTER BUILDING • (208) 343-6485 • P.O. BOX 2898 • 775 N. 8TH ST. • BOISE, IDAHO 83701

RECEIVED
MAY 01 1990
U.S. ATTY'S OFFICE

April 30, 1990

Mr. Warren S. Derbridge
Assistant United States Attorney
U. S. Department of Justice
550 West Fort
Box 037
Boise, ID 83724

Re: U.S. v. Bingham
#88-3011

Dear Warren:

At a date unknown to me, but which I believe to be toward the end of March, 1990, your office submitted Interrogatories to the Defendant, Warren Bingham, by mailing the same to Raymond C. Givens, in Coeur d'Alene. Ray forwarded a copy of those Interrogatories, and in turn we have presented them to our client, Warren Bingham, and have worked with him in securing Answers. We have not relied on the fact that the service of the Interrogatories was improperly made. Mr. Bingham has, from the inception of this entire matter, tried his best to completely cooperate with EPA and with your office. In the spirit of that continuing cooperation, you will find enclosed the original of Mr. Bingham's Answer to those Interrogatories. For reasons set forth in his Answer to Interrogatory 22, it may be that Supplemental Answers will be required to some of the Interrogatories when Mr. Bingham has had the opportunity to locate and ascertain the information in such records as he has.

On April 17, 1990, your office sent to Mr. Givens a copy of Plaintiff's First Request for Admissions and Documents. Again we call to your attention that Mr. Givens is not an attorney of record for Mr. Bingham, and Mr. Givens called this to your attention by letter dated April 23, 1990. Nevertheless, and in the continuing spirit of cooperation, we will not rely upon the improper service of the Requests, and the same have been sent to Mr. Bingham. We trust that you will understand that if the response to the Reugests are not forthcoming within the specified

period of 30 days, that will not be the result of any stalling by Mr. Bingham, but rather will be the result of the Requests first going to Mr. Givens, the distance between this office and the present place of living of our client, the fact of the move by our client and the boxing up of his records, and the necessity for us to work with our client over the distance between the location of our office and his present home.

We would appreciate it very much if, in some way, you could amend your records to reflect that Mr. Costello and I are Mr. Bingham's attorneys of record, so that subsequent records from your office would come direct to this office.

Thanking you, I am

Very truly yours,

C. Ben Martin

CBM:mc

Enc.

cc: Warren Bingham
Raymond C. Givens

C. BEN MARTIN
Attorney at Law
Statehouse Center Building, Suite 200
775 North 8th Street
P.O. Box 2898
Boise, ID 83701

PATRICK D. COSTELLO
PARK, COSTELLO & BURKETT
Statehouse Center Building, Suite 200
775 North 8th Street
P.O. Box 2898
Boise, ID 83701

Telephone: (208) 343-6485

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT FOR THE STATE OF IDAHO

UNITED STATES OF AMERICA, Plaintiff, vs. WARREN BINGHAM; GEORGE W. DREXLER; THOMAS DREXLER; and W. ALAN PICKETT, Defendants.	Civil No. 87-1104 ANSWERS TO INTERROGATORIES TO DEFENDANT WARREN BINGHAM

TO: The United States of America and to its attorney of record, Maurice O. Ellsworth:

COMES NOW WARREN BINGHAM, and in response to the Interrogatories propounded by the Plaintiff, answers the Interrogatories as follows:

INTERROGATORY NO. 1: Please state your full name, date of birth, present residence address, telephone number, and social security number.

ANSWER TO INTERROGATORY NO. 1:

Name: Warren Winfield Bingham, (b) (6) [redacted]
(b) (6) [redacted]

DOB: (b) (6) [redacted]

Phone: (b) (6) [redacted]

SS No.: [redacted]

INTERROGATORY NO. 2: Please state your marital status and the age and relationship of any dependents.

ANSWER TO INTERROGATORY NO. 2:

Married. (b) (6) [redacted]

INTERROGATORY NO. 3: Please state your occupation, the name, address and telephone number of your employer, the length of time employed by your present employer and your monthly income.

ANSWER TO INTERROGATORY NO. 3:

Retired 3/5/75, after 25 years, from U.P.S., with no pension or benefits.

Social Security - (b) (6) [redacted]

INTERROGATORY NO. 4: Please list sources of family income received from your spouse and your dependents, giving both the employment and the gross monthly income.

ANSWER TO INTERROGATORY NO. 4:

I don't receive any family income from my wife or dependents.

INTERROGATORY NO. 5: Please list sources of family income received through investments in real estate securities or other assets, giving both the item and the monthly income.

ANSWER TO INTERROGATORY NO. 5:

Real Estate	Monthly Income
A. Fuel Processors, Woodland, Washington, Commercial plant (Principal and interest)	(b) (6)
B. (b) (6)	
TOTAL	

Investments	
A. Glove Outlet (interest only)	
B. Parker & Parsley (Limited Partnership)	
C. PLM (Limited Partnership)	
D. Fox Corporation (Limited Partnership)	
E. Quinico (Limited Partnership)	
F. Mass. Financial Services-MGH (Mutual Fund) Mass. Financial Services-MMB (Mutual Fund)	
G. Income Fund of America (Mutual Fund)	
H. Saddle Back College District (Municipal Bond)	
I. Port of Oakland, California	
TOTAL	

INTERROGATORY NO. 6: Do you own your home? If so, please state the total value of your home, the value of your equity, and the address of your home.

ANSWER TO INTERROGATORY NO. 6:

(b) (6)

(

INTERROGATORY NO. 7: Do you have a car, pickup, truck, motorcycle, or other motor vehicle? If so, please state whether owned by self, spouse, or dependent, the type of model, the year, the value, what you still owe on the vehicle and to whom you owe the money.

ANSWER TO INTERROGATORY NO. 7:

(b) (6)

INTERROGATORY NO. 8: Do you have other financial holdings in your name or held in trust for your (i.e., real estate, stocks, bonds, or other personal property including cash)? If yes, please list the item and the value. If real estate, please list the value of your equity and the address of the real estate.

ANSWER TO INTERROGATORY NO. 8:

Yes.

Cash, $4,500.00

(b) (6) [redacted]

Also see Answer to Interrogatory No. 15.

INTERROGATORY NO. 9: If you have life insurance, what is the cash surrender value and with whom is the policy?

ANSWER TO INTERROGATORY NO. 9:

U. S. Government, G.I. Policy. No known cash surrender value.

INTERROGATORY NO. 10: Is money owed to you? If so, how much and by whom?

ANSWER TO INTERROGATORY NO. 10:

Yes. Owned jointly with wife as community property.

See Answer to Interrogatory No. 15.

INTERROGATORY NO. 11: Do you expect to receive an inheritance or any other property right of more than $100? Include description and value of any interest (present or future) in any decedent's estate.

ANSWER TO INTERROGATORY NO. 11:

No.

INTERROGATORY NO. 12: Do you participate in payroll deduction for profit sharing? If so, please explain.

ANSWER TO INTERROGATORY NO. 12:

No.

INTERROGATORY NO. 13: Do you participate in payroll deduction for U.S. Savings Bonds? If so, state amounts.

ANSWER TO INTERROGATORY NO. 13:

No.

INTERROGATORY NO. 14: Please describe any items owned and used in your trade or business and the value of your interest.

ANSWER TO INTERROGATORY NO. 14:

None.

INTERROGATORY NO. 15: Describe your interest (present or future) in any established trust and its actual or estimated value.

ANSWER TO INTERROGATORY NO. 15:

The following assets are a part of the Bingham Family Trust, dated September 6, 1986:

Asset	Value
(b) (6) [redacted]	

(b) (6) [redacted]

This Trust contains separate property of Warren Bingham, separate property of Lanita Bingham and community property of Warren and Lanita Bingham. The value of Warren Bingham's interest will be determined.

INTERROGATORY NO. 16: Please list the names and addresses of any bank, savings or credit union type institution accounts you have, stating the type of account and the account number.

ANSWER TO INTERROGATORY NO. 16:

First Interstate Bank, (b) (6) [redacted]
personal checking;

Security Pacific National Bank, (b) (6) [redacted]
(b) (6) [redacted].

INTERROGATORY NO. 17: Please give year of filing last Federal Income Tax return, where it was filed, and the gross income reported.

ANSWER TO INTERROGATORY NO. 17:

1988. Ogden, utah. Gross income, $26,127.00.

INTERROGATORY NO. 18: Please list your monthly expenses for:

(a) Household (food, clothing, etc.)

(b) Rent or mortgage payments. Paid to whom? Address.

(c) Other expenses (utilities, gasoline, medical, educational, etc.)

ANSWER TO INTERROGATORY NO. 18:

(b)(6)

(a) Household:

Food
Clothing

(b) Rent:

Rent on mobile home space

Paid to Lake Oaks

(b) (6)

(c) Other Expenses:

Electricty
Gas
Cars
Medical
Attorneys and CPAs

(b) (6)

INTERROGATORY NO. 19: Please list loans payable (other than real estate mortgages listed in Interrogatory No. 18(b), to whom they are owed, the purpose and date of the loan, the original amount, the present balance, and the monthly payment due.

ANSWER TO INTERROGATORY NO. 19:

None.

INTERROGATORY NO. 20: Please list any bills and charge accounts owed (example: grocery, doctor, department store, etc.)

ANSWER TO INTERROGATORY NO. 20:

American Express

Sears

Weinstocks Dept. Store

Total

(b) (6)

INTERROGATORY NO. 21: Please list any other obligations owed not previously listed.

ANSWER TO INTERROGATORY NO. 21:

None.

INTERROGATORY NO. 22: Have you transferred by loan, gift, sale, etc. any property since the occurrence of the event which gave rise to the government's claim against you, including cash? If so, give date, description, and to whom transferred.

ANSWER TO INTERROGATORY NO. 22:

Owned jointly with wife as community property.

(b) (6)

s

Sold adjoining lot, 1986

Will supplement answer.

INTERROGATORY NO. 23: The foregoing Interrogatories are to be regarded as continuing and you are requested to provide, by way of supplemental answers thereto, such additional information as may hereafter be obtained by you or any person on your behalf, which will augment or otherwise modify any answers now given to the foregoing interrogatories. Such supplementary responses are to be served upon the plaintiff within 15 days after receipt of such information.

ANSWER TO INTERROGATORY NO. 23: I recently moved. All of my records were boxed up, and I have not been able to find some specific information, but I am still looking.

DATED this 27 day of April, 1990.

Warren W. Bingham

WARREN W. BINGHAM

STATE OF CALIFORNIA)
: ss.
County of EL DORADO)

On this 27TH day of April, 1990, before me, a Notary Public in and for said State, personally appeared WARREN W. BINGHAM, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

OFFICIAL SEAL
TERRY HANKS
NOTARY PUBLIC-CALIFORNIA
EL DORADO COUNTY
My Commission Expires Aug. 4, 1992

Terry Hanks
Notary Public for ~~Idaho~~ CALIFORNIA
Residing at ~~Boise~~, ~~Idaho~~ PLACERVILLE CA.
My Commission Expires: 8-4-92

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That on this 1ST day of May, 1990, I delivered a true and correct copy of the foregoing ANSWERS TO INTERROGATORIES TO DEFENDANT WARREN BINGHAM to:

Mr. Warren S. Derbridge
Assistant United States Attorney
U. S. Department of Justice
Box 037
550 West Fort
Boise, ID 83724

C. Ben Martin

C. BEN MARTIN
Attorney at Law
Statehouse Center Building, Suite 200
775 North 8th Street
P.O. Box 2898
Boise, ID 83701

PATRICK D. COSTELLO
PARK, COSTELLO & BURKETT
Statehouse Center Building, Suite 200
775 North 8th Street
P.O. Box 2898
Boise, ID 83701

Telephone: (208) 343-6485

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT FOR THE STATE OF IDAHO

UNITED STATES OF AMERICA, Plaintiff, vs. WARREN BINGHAM; GEORGE W. DREXLER; THOMAS DREXLER; and W. ALAN PICKETT, Defendants.	Civil No. 87-1104 ANSWERS TO INTERROGATORIES TO DEFENDANT WARREN BINGHAM

TO: The United States of America and to its attorney of record, Maurice O. Ellsworth:

COMES NOW WARREN BINGHAM, and in response to the Interrogatories propounded by the Plaintiff, answers the Interrogatories as follows:

INTERROGATORY NO. 1: Please state your full name, date of birth, present residence address, telephone number, and social security number.

ANSWER TO INTERROGATORY NO. 1:

Name: Warren Winfield Bingham, (b) (6) [redacted]

(b) (6) [redacted]

DOB: (b) (6) [redacted]

Phone:

SS No.:

INTERROGATORY NO. 2: Please state your marital status and the age and relationship of any dependents.

ANSWER TO INTERROGATORY NO. 2:

Married. (b) (6) [redacted]

INTERROGATORY NO. 3: Please state your occupation, the name, address and telephone number of your employer, the length of time employed by your present employer and your monthly income.

ANSWER TO INTERROGATORY NO. 3:

(b) (6) [redacted]rs, from U.P.S., with no pens[redacted]

INTERROGATORY NO. 4: Please list sources of family income received from your spouse and your dependents, giving both the employment and the gross monthly income.

ANSWER TO INTERROGATORY NO. 4:

I don't receive any family income from my wife or dependents.

INTERROGATORY NO. 5: Please list sources of family income received through investments in real estate securities or other assets, giving both the item and the monthly income.

ANSWER TO INTERROGATORY NO. 5:

Real Estate		Monthly Income
A.	(b) (6) [redacted] st)	(b) (6) [redacted]
B.	[redacted]	
	TOTAL	

Investments		
A.	Glove Outlet (interest only)	
B.	Parker & Parsley (Limited Partnership)	
C.	PLM (Limited Partnership)	
D.	Fox Corporation (Limited Partnership)	
E.	Quinico (Limited Partnership)	
F.	Mass. Financial Services-MGH (Mutual Fund) Mass. Financial Services-MMB (Mutual Fund)	
G.	Income Fund of America (Mutual Fund)	
H.	Saddle Back College District (Municipal Bond	
I.	Port of Oakland, California	
	TOTAL	

INTERROGATORY NO. 6: Do you own your home? If so, please state the total value of your home, the value of your equity, and the address of your home.

ANSWER TO INTERROGATORY NO. 6:

Yes, mobile home only. Owned jointly with wife as community property.

(b) (6)

[redacted]

INTERROGATORY NO. 7: Do you have a car, pickup, truck, motorcycle, or other motor vehicle? If so, please state whether owned by self, spouse, or dependent, the type of model, the year, the value, what you still owe on the vehicle and to whom you owe the money.

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See Answer to Interrogatory No. 15.

INTERROGATORY NO. 8: Do you have other financial holdings in your name or held in trust for your (i.e., real estate, stocks, bonds, or other personal property including cash)? If yes, please list the item and the value. If real estate, please list the value of your equity and the address of the real estate.

ANSWER TO INTERROGATORY NO. 8:

Yes.

Cash, $4,500.00

Owned Jointly with wife as community property.

Also see Answer to Interrogatory No. 15.

INTERROGATORY NO. 9: If you have life insurance, what is the cash surrender value and with whom is the policy?

ANSWER TO INTERROGATORY NO. 9:

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(c) Other expenses (utilities, gasoline, medical, educational, etc.)

ANSWER TO INTERROGATORY NO. 18:

(b) (6)

(a) Household:

Food
Clothing

(b) Rent:

Rent on mobile home space

Paid to Lake Oaks

4280 Patterson Drive, #11
Diamond Springs, CA 95619

(c) Other Expenses:

Electricty
Gas
Cars
Medical
Attorneys and CPAs

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None.

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ANSWER TO INTERROGATORY NO. 20:

American Express

Sears

Weinstocks Dept. Store

Total

(b) (6)

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(b) (6)

Sold adjoining lot, 1986

Will supplement answer.

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DATED this 27 day of April, 1990.

Warren W. Bingham

WARREN W. BINGHAM

STATE OF CALIFORNIA)
: ss.
County of [illegible])

On this [illegible] day of April, 1990, before me, a Notary Public in and for said State, personally appeared WARREN W. BINGHAM, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

OFFICIAL SEAL
TERRY HANKS
NOTARY PUBLIC-CALIFORNIA
EL DORADO COUNTY
My Commission Expires Aug. 4, 1992

Terry Hanks
Notary Public for ~~Idaho~~ CALIFORNIA
Residing at ~~Boise, Idaho~~ PLACERVILLE, CA.
My Commission Expires: 8-4-92

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That on this 1st day of May, 1990, I delivered a true and correct copy of the foregoing ANSWERS TO INTERROGATORIES TO DEFENDANT WARREN BINGHAM to:

Mr. Warren S. Derbridge
Assistant United States Attorney
U. S. Department of Justice
Box 037
550 West Fort
Boise, ID 83724

C. Ben Martin