Message

From: Peachey, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=61AAF958B01C419DB28CE47E2CCF635B-RPEACHEY]
Sent: 5/6/2019 4:57:29 PM
To: Mike T. Kitson [mtk@pattersonbuchanan.com]
CC: Mannix, John [mannixj@monroe.wednet.edu]; Patrick S. Schoenburg [pschoenburg@wshblaw.com]; Scott I. Jamieson [sij@pattersonbuchanan.com]; Jennifer R. Friesen [jrf@pattersonbuchanan.com]
Subject: RE: Bard v. Monroe S.D._PCB Materials

Dear Mike:

Thanks for your message and the recap. We'll be in touch.

--Bob Peachey

Robert M. Peachey
Office of Regional Counsel
U.S. EPA Region 5 (C-14J)
77 W. Jackson Blvd.
Chicago, Illinois 60604
Phone: (312) 353.4510
Fax: (312) 692.2422
E-mail: peachey.robert@epa.gov

This email and any attachments may contain information that is privileged, confidential, or otherwise exempt or prohibited from disclosure under applicable law, and they are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, do not read, print, distribute, or take action in reliance upon this email: notify the sender immediately by return email and promptly delete or otherwise destroy the email and any attachments. U.S. EPA does not waive any privilege by transmission of this email.

From: Mike T. Kitson <mtk@pattersonbuchanan.com>
Sent: Friday, May 03, 2019 5:38 PM
To: Peachey, Robert <peachey.robert@epa.gov>
Cc: Mannix, John <mannixj@monroe.wednet.edu>; Patrick S. Schoenburg <pschoenburg@wshblaw.com>; Scott I. Jamieson <sij@pattersonbuchanan.com>; Jennifer R. Friesen <jrf@pattersonbuchanan.com>
Subject: Bard v. Monroe S.D._PCB Materials

Good Afternoon Robert,

Thank you for your call today. Per your request this email is provided to recap the information I provided to you in our call.

As I indicated, the District has been required to hold onto evidence pertaining to the Bard v. Monroe School District litigation. Plaintiffs' counsel sent the District a litigation hold request with the tort claims that were filed in August 2017. At the time the litigation hold was received, the District had possession of one steel drum that had PCB-containing materials in it. This steel drum was, and still is, being stored in a locked maintenance shed. This shed is not on a school campus and is therefore inaccessible to anyone except for a select number of District maintenance personnel. Plaintiffs recently conducted a site inspection, and their experts were provided access to the steel drum to test its contents. Accordingly, the District will be reaching out to the parties to see if there is any objection to the District disposing of the materials per EPA guidelines. We will let you know if any of the parties object to disposal of the materials and request possession of the drum.

Please do not hesitate to contact me if you have any questions or concerns.

Best,

Mike

Michael T. Kitson | Principal
DIRECT 206.462.6774 | TOLL FREE 800.722.3815
mtk@pattersonbuchanan.com

SEATTLE
2112 3rd Ave. Ste 500
Seattle, WA 98121
P (206) 462-6700 | F (206) 462-6701

PORTLAND
1050 SW 6th Ave. Ste 1100
Portland, OR 97204
P (503) 200-5400 | F (503) 200-5401

Patterson Buchanan
Fobes & Leitch INC. P.S.
www.pattersonbuchanan.com

CONFIDENTIALITY NOTICE: This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection. If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, then delete it. Thank you.