

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, COUNTY DIVISION**

IN THE MATTER OF THE PETITION OF THE)
PARK DISTRICT OF LA GRANGE, A BODY POLITIC)
AND CORPORATE ORGANIZED AND EXISTING) No. 09 CH 09421
UNDER THE LAWS OF THE STATE OF ILLINOIS,)
TO SELL A PARCEL OF LAND LESS THAN)
THREE ACRES)

**PETITIONER’S RESPONSE TO
OBJECTOR’S FIRST SET OF 213(f) INTERROGATORIES**

Subject to its General Objections and to its specific objections asserted in response to individual interrogatories within the Objector’s (“Objector”) First Set of 213(f) Interrogatories to Petitioner, the Park District of La Grange (“Park District”) answers as follows the Objector’s First Set of 213(f) Interrogatories to Petitioner:

RULE 213(f) INTERROGATORIES

1. Pursuant to Supreme Court Rule 213(f)(1) identify each person who will testify at trial/hearing and the subject on which they will testify.

ANSWER: The Park District objects to this Interrogatory as being premature because it has not yet received documents from the Objector in response the Park District’s document requests, the Park District’s investigation is ongoing, and the procedure for the hearing in this manner, and the relevant standard of review, have not yet been determined. Accordingly, the Park District reserves the right (i) to identify additional persons who may testify at the hearing, (ii) to identify additional subject matter(s) as to which identified persons may testify, (iii) to call a person at the hearing to testify as to only a portion of the subject matter identified for such person, and/or (iv) to not call a person identified below at the hearing. Subject to its specific objections and General Objections, and without waiving those objections, the Park District identifies the following

persons who may testify at the hearing in this proceeding and the expected subject matter of their testimony:

Name and Contact Information	Expected Subject Matter of Testimony
<p>Timothy Kelsas President, Board of Commissioners La Grange Park District</p>	<p>Mr. Kelsas will provide testimony relating to the Park District's legislative determinations that Parcels 2 and 3 are no longer needed, necessary, or useful for purposes of Gordon Park and that the proposed sale of Parcels 2 and 3 would benefit the citizens of La Grange and is in the public interest, as well as other matters set forth in the Petition and the attachments thereto. Such testimony may include, among other things: (i) the Park District's bases for its legislative determinations, (ii) the process and procedures employed by the Park District in making those determinations, (iii) facts and contentions brought to the Park District's attention, or otherwise considered by the Park District, in making those determinations, and (iv) the history and results of the Park District's negotiations with ARP. Mr. Kelsas will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>
<p>Mary Ellen Penicook Commissioner, Board of Commissioners Park District of La Grange</p>	<p>Ms. Penicook will provide testimony relating to the Park District's legislative determinations that Parcels 2 and 3 are no longer needed, necessary, or useful for purposes of Gordon Park and that the proposed sale of Parcels 2 and 3 would benefit the citizens of La Grange and is in the public interest, as well as other matters forth in the Petition and the attachments thereto. Such testimony may include, among other things: (i) the Park District's bases for its legislative determinations, (ii) the process and procedures employed by the Park District in making those determinations, (iii) facts and contentions brought to the Park District's attention, or otherwise considered by the Park District, in making those determinations, and (iv) the history and results of the Park District's negotiations with ARP. Ms. Penicook will also provide testimony as to the areas of knowledge specifically identified in the Park District's</p>

	Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.
<p>Robert Ashby Commissioner, Board of Commissioners Park District of La Grange</p>	<p>Mr. Ashby will provide testimony relating to the Park District's legislative determinations that Parcels 2 and 3 are no longer needed, necessary, or useful for purposes of Gordon Park and that the proposed sale of Parcels 2 and 3 would benefit the citizens of La Grange and is in the public interest, as well as other matters set forth in the Petition and the attachments thereto. Such testimony may include, among other things: (i) the Park District's bases for its legislative determinations, (ii) the process and procedures employed by the Park District in making those determinations, (iii) facts and contentions brought to the Park District's attention, or otherwise considered by the Park District, in making those determinations, and (iv) the history and results of the Park District's negotiations with ARP. Mr. Ashby will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>
<p>Robert Metzger Commissioner, Board of Commissioners Park District of La Grange</p>	<p>Mr. Metzger will provide testimony relating to the Park District's legislative determinations that Parcels 2 and 3 are no longer needed, necessary, or useful for purposes of Gordon Park and that the proposed sale of Parcels 2 and 3 would benefit the citizens of La Grange and is in the public interest, as well as other matters set forth in the Petition and the attachments thereto. Such testimony may include, among other things: (i) the Park District's bases for its legislative determinations, (ii) the process and procedures employed by the Park District in making those determinations, (iii) facts and contentions brought to the Park District's attention, or otherwise considered by the Park District, in making those determinations, and (iv) the history and results of the Park District's negotiations with ARP. Mr. Metzger will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>

<p>Christopher Walsh Commissioner, Board of Commissioners Park District of La Grange</p>	<p>Mr. Walsh will provide testimony relating to the Park District’s legislative determinations that Parcels 2 and 3 are no longer needed, necessary, or useful for purposes of Gordon Park and that the proposed sale of Parcels 2 and 3 would benefit the citizens of La Grange and is in the public interest, as well as other matters set forth in the Petition and the attachments thereto. Such testimony may include, among other things: (i) the Park District’s bases for its legislative determinations, (ii) the process and procedures employed by the Park District in making those determinations, (iii) facts and contentions brought to the Park District’s attention, or otherwise considered by the Park District, in making those determinations, and (iv) the history and results of the Park District’s negotiations with ARP. Mr. Walsh will also provide testimony as to the areas of knowledge specifically identified in the Park District’s Answer to Interrogatory No. 3 of Objector’s First Set of Interrogatories.</p>
<p>Dean Bissias Executive Director Park District of La Grange</p>	<p>Mr. Bissias will provide testimony relating to the Park District’s legislative determinations that Parcels 2 and 3 are no longer needed, necessary, or useful for purposes of Gordon Park and that the proposed sale of Parcels 2 and 3 would benefit the citizens of La Grange and is in the public interest, as well as other matters set forth in the Petition and the attachments thereto. Such testimony may include, among other things: (i) the process and procedures employed by the Park District in making its legislative determinations, (ii) facts and contentions brought to the Park District’s attention, or otherwise considered by the Park District, in making those determinations, and (iii) the history and results of the Park District’s negotiations with ARP. Mr. Bissias will also provide testimony as to the areas of knowledge specifically identified in the Park District’s Answer to Interrogatory No. 3 of Objector’s First Set of Interrogatories.</p>
<p>Brad Belcaster President Belcaster Realty Group LLC</p>	<p>Mr. Belcaster will provide testimony relating to the Park District’s legislative determinations that Parcels 2 and 3 are no longer needed, necessary, or useful for purposes of Gordon Park and that the proposed sale of Parcels 2 and 3 would benefit the</p>

	<p>citizens of La Grange and is in the public interest, as well as other matters set forth in the Petition and the attachments thereto. Such testimony will include, among other things: (i) the process and procedures employed by the Park District in making its legislative determinations, (ii) facts and contentions brought to the Park District's attention, or otherwise considered by the Park District, in making those determinations, and (iii) the history and results of the Park District's negotiations with ARP. Mr. Belcaster will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>
<p>Steve Paczolt Treasurer Park District of La Grange</p>	<p>Mr. Paczolt will provide testimony relating to his work on behalf of the Park District relating to Gordon Park and the proposed sale of Parcels 2 and 3. Mr. Paczolt will also testify as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>
<p>Thomas A. Heuer La Grange Village Engineer Heuer and Associates 2315 Enterprise Drive, Suite 102, Westchester, IL 60154</p>	<p>Mr. Heuer will provide testimony relating to his work on behalf of the Village of La Grange relating to Gordon Park and interactions with the Park District and other parties relating to the proposed sale of Parcels 2 and 3 and ARP's proposed development on those Parcels and the adjoining property owned by the YMCA. Mr. Heuer will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>
<p>Jeffrey Braun Cody / Braun & Associates, Inc. 625 Plainfield Rd. Willowbrook, IL 60527 (630) 325-1333</p>	<p>Mr. Braun will provide testimony relating to his work on behalf of the Park District relating to the proposed re-development of Gordon Park and the proposed sale of Parcels 2 and 3. Mr. Braun will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>
<p>Todd Stanton Design Perspectives Inc. 1754 N. Washington St., Suite 120 Naperville, IL 60563 (630) 577-9445</p>	<p>Mr. Stanton will provide testimony relating to his work on behalf of the Park District relating to the proposed re-development of Gordon Park and the proposed sale of Parcels 2 and 3. Mr. Stanton will also provide testimony as to the areas of</p>

	knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.
Chris Finn Asst. Supt. of Recreation Park District of La Grange	Mr. Finn will provide testimony on the frequency and occurrences of flooding / standing water at Gordon Park and the scheduling and cancellation of activities at Gordon Park relating to flooding / standing water at the park.
Claudia Galla Parks & Maintenance Foreman Park District of La Grange	Ms. Galla will provide testimony relating to the condition and maintenance of park land and, in particular, Gordon Park. Ms. Galla will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.
Ricky Cox Parks and Maintenance Laborer Park District of La Grange	Mr. Cox will provide testimony relating to the condition and maintenance of park land and, in particular, Gordon Park. Mr. Cox will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.
Kevin Simon LAVITS Instructor Park District of La Grange	Mr. Simon will provide testimony relating to the relative inaccessibility of Parcel 3, including without limitation, that he frequented the adjacent YMCA before it closed did not realize until recently that Parcel 3 existed or that it was owned by the Park District.
Patrick Benjamin, Community Development Director Village of La Grange 53 South La Grange Rd. La Grange, IL 60525 (708) 579-2319	Mr. Benjamin will provide testimony relating to his work on behalf of the Village of La Grange relating to the sale of Parcels 2 and 3 and the proposed development of those Parcels and the adjoining property owned by the YMCA, including, without limitation, the applications for zoning approvals filed by ARP with the Village of La Grange and the Village of La Grange's standard zoning application review process that was applied to Atlantic Realty's applications. Mr. Benjamin will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.
Angela Mesaros Assistant Community Development Director and Staff Liaison to the Plan Commission for the Village of La Grange	Ms. Mesaros will provide testimony relating to her work on behalf of the Village of La Grange relating to the sale of Parcels 2 and 3 and the proposed development of those Parcels and the

<p>53 South La Grange Rd. La Grange, IL 60525</p>	<p>adjoining property owned by the YMCA, including, without limitation, the applications for zoning approvals filed by ARP with the Village of La Grange and the Village of La Grange's standard zoning application review process that was applied to Atlantic Realty's applications.</p>
<p>Lou Cipparrone Finance Director Village of La Grange 53 South La Grange Rd. La Grange, IL 60525 (708) 579-2300</p>	<p>Mr. Cipparrone will provide testimony relating to his work on behalf of the Village of La Grange relating to the sale of Parcels 2 and 3 and the proposed development of those Parcels and the adjoining property owned by the YMCA. Mr. Cipparrone will also provide testimony as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>
<p>Michael A. Holub Chief of Police La Grange Police Department 304 W. Burlington Ave. La Grange, IL 60525 (708) 579-2334</p>	<p>Mr Holub will provide testimony relating to the experience of, and facts known by, the La Grange Police Department relating to problems such as crime, underage drinking and drug use on or near Parcels 2 and 3 and the land comprising Vacated Shawmut Avenue.</p>
<p>Tom Cimbalista Administrative Sergeant Village of La Grange Police Department 304 W. Burlington Ave. La Grange, IL 60525 (708) 579-2334</p>	<p>Mr. Cimbalista will provide testimony relating to the experience of, and facts known by, the La Grange Police Department relating to problems such as crime, underage drinking and drug use on or near Parcels 2 and 3 and the land comprising Vacated Shawmut Avenue.</p>
<p>David Fleege Fire Chief Village of La Grange Fire Department 300 W. Burlington Ave. La Grange, IL 60525 (708) 579-2339</p>	<p>Mr. Fleege will provide testimony relating to the benefits to public safety in having more than one access point available to emergency personnel and vehicles to access park land, especially crowded park land that hosts an array of recreational activities.</p>
<p>Richard D. Aaronson President, Atlantic Realty Partners, Inc. ("ARP") 3378 Peachtree Road Atlanta, GA 30326 (404) 591-2900</p>	<p>Mr. Aaronson will provide testimony relating to ARP's proposed development of Parcels 2 and 3 and the adjoining property owned by the YMCA, and ARP's agreements with the Park District relating to the proposed sale of Parcels 2 and 3 and ARP's proposed development. In addition, Mr. Aaronson will also testify as to the areas of knowledge specifically identified in the Park District's Answer to Interrogatory No. 3 of Objector's First Set of Interrogatories.</p>
<p>Brian L. Paupore Real Estate Analyst</p>	<p>Mr. Paupore will provide testimony relating to the findings set forth in the appraisal completed in</p>

<p>Integra Realty Resources – Chicago Metro 566 West Lake Street, Suite 320 Chicago, IL 60661 (312) 346-3200</p>	<p>March 2007 by Integra Realty Resources (No. PDOL.0703068).</p>
<p>Patricia L. McGarr Certified General Real Estate Appraiser Integra Realty Resources – Chicago Metro 566 West Lake Street, Suite 320 Chicago, IL 60661 (312) 346-3200</p>	<p>Ms. McGarr will provide testimony relating to the findings set forth in the appraisal completed in March 2007 by Integra Realty Resources (No. PDOL.0703068).</p>
<p>Don Robertson Field Assignment Coordinator Region 300, American Youth Soccer Organization (“AYSO”) 225 6th Ave. La Grange, IL 60525 (708) 345-7584</p>	<p>Mr. Robertson will provide testimony relating to general and specific concerns of the AYSO as it relates to its use of park land in the Village of La Grange, and in particular Gordon Park, for youth soccer games, including, without limitation, issues and particular problems relating to the scheduling and cancellation of games, field conditions, and work needed to prepare fields for play. Mr. Robertson will also testify as to the areas of knowledge specifically identified in the Park District’s Answer to Interrogatory No. 3 of Objector’s First Set of Interrogatories.</p>
<p>Shawn Gunst Regional Commissioner, Region 300 AYSO (847) 818-5616</p>	<p>Mr. Gunst will provide testimony relating to general and specific concerns of the AYSO as it relates to its use of park land in the Village of La Grange, and in particular Gordon Park, for youth soccer games, including, without limitation, issues and particular problems relating to the scheduling and cancellation of games, field conditions, and work needed to prepare fields for play. Mr. Gunst will also testify as to the areas of knowledge specifically identified in the Park District’s Answer to Interrogatory No. 3 of Objector’s First Set of Interrogatories.</p>
<p>Thomas Cushing President, La Grange Little League (312) 777-2053</p>	<p>Mr. Cushing will provide testimony relating to general and specific concerns of the La Grange Little League as it relates to its use of park land in the Village of La Grange, and in particular Gordon Park, for youth baseball games, including, without limitation, issues and particular problems relating to the scheduling and cancellation of games, field conditions, and work needed to prepare fields for play. Mr. Cushing will also testify as to the areas of knowledge specifically identified in the Park District’s Answer to Interrogatory No. 3 of Objector’s First</p>

