

The Law Offices of
Cassandra Collier-Williams, LLC

Cassandra Collier-Williams, Esq.

Anthony T. Parker, Esq.

Aaron D. Plasco, Esq.

June 18, 2009

Regional Hearing Clerk (E-13J)
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, IL 60604

Re: In The Matter of: Kathryn Y. Lewis-Campbell, Springfield, Ohio
Docket Number: TSCA-05-2009-0004

Dear Sir or Madam:

Enclosed please find the original and one (1) copy of the following documents, relative to the above captioned matter:

- 1. *Motion For Leave To File Prehearing Information Exchange, Instanter;* and**
- 2. *Respondent's Prehearing Information Exchange.***

Please file the above in the normal manner, and return the time stamped copy to me in the enclosed self addressed stamped envelope.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,


Cassandra Collier-Williams, Esq.

CCW: src
Enclosures
cc: Judge William B. Moran
Richard R. Wagner
Kathryn Y. Lewis-Campbell

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Cleveland Office:
2103 St. Clair Avenue • 2nd Floor • Cleveland, Ohio 44114 • Phone (216) 621-9190 • Fax (216) 621-9020
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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	DOCKET NO. TSCA-05-2009-0004
)	
KATHRYN Y. LEWIS CAMPBELL)	
SPRINGFIELD, OHIO)	
)	<u>RESPONDENT'S PREHEARING</u>
)	<u>INFORMATION EXCHANGE</u>
U.S. EPA ID# OHD 106 483 522)	
)	
RESPONDENT.)	

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NOW COMES the Defendant, Kathryn Lewis Campbell, by and through her undersigned counsel, **The Law Offices of Cassandra Collier-Williams, LLC**, and hereby submits the following information as required by 40 C.F.R. §22.19.

WITNESS LIST

The Respondent intends to call the following witnesses:

1. **Kathryn Y. Lewis-Campbell**, who will testify that she sold a condemned house to Donald Freeman, Jr. in 2006; that said house was uninhabitable at the time it was sold to Mr. Freeman; that Mr. Freeman had actual knowledge that the house was uninhabitable; that Mr. Freeman had indicated to the Respondent before the sale that he intended to repair the house after he bought it, before either selling it or moving into it; and that, contrary to what he told the

Respondent, he began living in the house without making any repairs to it beforehand. Ms. Lewis-Campbell will also testify that she was not required to disclose a presence of lead-based paint and/or lead-based paint hazards in the property because the property was condemned and not residential at the time it was sold.

2. **Donald Freeman, Jr.**, who will testify that he bought a house from the Respondent in 2006; that said house was clearly uninhabitable when he bought it; that he represented to the Respondent that he wanted to purchase it in order to make repairs to it before he either sold it or moved into it; and that, instead of making such repairs, he began to live in the house, even though he had actual knowledge of its uninhabitability.

3. **Reverend Donald Collier**, who will testify that the house which is the subject of this action was profoundly damaged at the time the Respondent sold it to Mr. Freeman; that said house was clearly uninhabitable at the time; that Mr. Freeman had actual knowledge that it was uninhabitable; that Mr. Freeman had indicated that he would repair said damage before either selling it or moving into it; and that before making any repairs to the house, he began living in

it.

The Respondent does not intend to call any expert witnesses.

DOCUMENTS AND EXHIBITS

The Respondent intends to introduce into evidence the following documents and exhibits, which are attached hereto:

1. Kathryn Y. Lewis-Campbell's 2005 Individual Income Tax Return;
2. Kathryn Y. Lewis-Campbell's 2006 Individual Income Tax Return;
3. Kathryn Y. Lewis-Campbell's 2007 Individual Income Tax Return;
4. Kathryn Y. Lewis-Campbell's 2008 Individual Income Tax Return;

The foregoing documentation shall support Respondent's contention that she is unable to pay the proposed penalty.

5. Pictures of 137 E. Southern Avenue, Springfield, Ohio 45505.

HEARING TIME AND PLACE

The Respondent submits that the hearing shall be held in the City of Springfield, County of Clark, State of Ohio, which is the county seat of the county where the Respondent resides.

The Respondent would be available for the hearing on November 2, 2009, November 9, 2009, or November 30, 2009. She will need no more than one (1) day

to present her direct case.

Respectfully submitted,

THE LAW OFFICES OF CASSANDRA COLLIER-WILLIAMS, LLC



CASSANDRA COLLIER-WILLIAMS, ESQ., #0051951

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Counsel for Respondent

Kathryn Y. Lewis-Campbell

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CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2009, a copy of the foregoing was delivered via regular U.S. mail to the following:

1. Regional Hearing Clerk (E-13J)
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, IL 60604

2. Richard R. Wagner (C-14J)
Senior Attorney, Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, IL 60604

Counsel for Complainant

3. Judge William B. Moran
U.S. Environmental Protection Agency
Office of Administrative Law Judges
1200 Pennsylvania Ave., N.W.
Mail Code 1900L
Washington, DC 20005



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Counsel for Respondent
Kathryn Y. Lewis-Campbell

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