EXHIBIT 5

		, .	/m : 1 = m 1 = = = = = = = = = = = = = = = =
		ii)(O)PY
t	THE PROPERTY OF THE PROPERTY O		
2	IN THE DWITED STATES DISTRICT COURT MORTHWAY DISTRICT OF ILLINOIS	1	INDEX
3	IFC CREDIT CORPORATION, An) Illinois corporation, , ;	2	WITNESS EXAMINATION
4	Plaintiff.	3	STEVEN R. VAN DEN HEUVEL
5	j	4	Direct Examination
6	TISSUE PRODUCTS TECHNOLOGY	5	By MR. UNDERHILL 6
7	CORPORATION, a Wisconsin	6	
6	Corporation; ECO-FIBER, IRC., a) Wisconsin corporation; PARTERNS)	7	
9	CONCEPTS DEVELOPMENT, INC., a) Wisconsin Corporation, OCONTO)	8	
10	PALLS TISSUE, INC., a Wisconsin) COPPORATION, ROWALD B. VAN DEE)	9	EXHIBITS
11	SPIRIT COMSTRUCTION SERVICES,	10	NUMBER MARKED FOR ID
12	IRC., a Delswars corporation,	11	Plaintiff's Exhibits
13 14	Defandants,	12	No. 1 19
15	The deposition of STEVER R, VAN DEN EXCEPT Called for examination pursuant to Notice	13	No. 2 24
17	States District Courts pertaining to the United	14	No. 3 50
19	Prystalski, a notary public within and for the	15	No. 4 81
20 21	Forth LaSalla Street, Suite 2500 Chinese	16	No. 5 80
22	Illinois, on the 8th day of April, 2008, at the bour of 10:05 a.m.	17	No. 6 81
24	Reported By: Janime A. Frystalski, CSR	18	No. 7 106
		19	No. 8 125
		20	No. 9 126
		21	120
		22	No. 10 132
		23	
		24	
	1		3
1	APPEARANCES:		(Miles
2		2	(Witness sworn.)
3	MASUDA, FUNAI, EIFERT & MITCHELL, LTD., by	3	MR. UNDERHILL: Good morning, Mr. Van
4	MR. GERALD L. MOREL and	4	Den Heuvel. My name is Ed Underhill. I'm one
5	MR. EDWARD J. UNDERHILL	5	of the attorneys for the plaintiff in this case, IFC Credit Corporation.
6	203 North LaSalle Street, Suite 2500	6	1
7	Chicago, Illinois 60601	7	Have you ever heard of IFC Credit Corporation?
8	(312) 245-7500	8	THE WITNESS: Yes.
9	Representing the Plaintiff:	9	The state of the s
10	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	10	MR. UNDERHILL: Okay. I'll be taking
11	MICHAEL BEST & FRIEDRICH, LLP, by	11	your deposition this morning. Have you ever had your deposition taken?
12	MR. STEVEN E. CYRANOSKI	12	THE WITNESS: No.
13	180 North Stetson Avenue, Suite 2000	13	
14	Chicago, Illinois 60601	14	MR. UNDERHILL: Never?
15	(312) 222-0800	15	THE WITNESS: No.
16	Representing the Defendants.	16	MR. UNDERHILL: Let me explain some of the rules for you. It's as if you're in court.
17		17	You've been sworn to tell the truth and I'll be
18		18	2000 May 200
19		19	asking you questions. You'll be answering those
20		20	questions for me. It's as if we're in a
21		21	courtroom. The only difference is we're in my
22			conference room of my law office. If i ask you
23		22	a question and you answer the question, [7]
24		23 24	assume that you understood the question, is that
	13	44	fair?
	2		4 8

		100	
1	and attend to pulled to professions	1	BY MR. UNDERHILL:
2	A. In Green Bay, Wisconsin.	2	
3	The source our secretary, you	3	
4	mean she's yours and Doug's secretary?	4	
5	A. Yes.	5	
6	 So what does this file look like, 	6	construction agreement or EPC agreement between
7	approximately? Is it in a brown standing file	7	Spirit Construction Services and ST Paper and it
8	like this?	8	makes reference to Oconto Falls and De Pere,
9	A. Yes.	9	Wisconsin.
10	Q. And it contains, as best as you know,	10	Going forward this morning, I'm just
11	all of the documents that relate to the	11	going to refer to this document as the De Pere
12	transaction that we've been talking about today?	12	EPC agreement. Obviously it's too long to ask
13	A. Yes.	13	you to study it.
14	Q. At any point in this litigation, as far	14	
15	as you know, has somebody come and asked that	15	MR. MOREL: I think you can just call
16	that file be turned over to the lawyers or be	16	it as Exhibit 3 because there are two contracts.
17	photocopied for any reason in connection with	17	MR. UNDERHILL: There is another one?
18	the lawsuit?	18	MR. MOREL: Yes.
19	A. I don't understand your question.		BY MR. UNDERHILL:
20	Q. Okay. Let me rephrase it then.	19	Q. There's another agreement out that has
21	Since this lawsuit was filed, has	20	a reference to De Pere, but we'll just call this
22	anyone come to you - I'll just start with you	21	one Exhibit 3.
23	for now,	22	Have you ever seen this document
24	Has anyone come to you and said, Steve,	23	before?
	49	24	A. I've gone through it. It is the
			51
1 .	we have to give the lawyers for IFC our file on	1	document, I believe, that I have signed this
2	this matter?	2	document. I don't know if all of the pages are
3	 When I got to come to this deposition, 	3	exactly the same, but, yes, it appears to be the
4	there was a paragraph in there asking for some	4	one that I did sign.
5	of that.	5	Q. And when do you believe you signed this
6	Q. And what did you do with the file?	6	document?
7	A. It's still there.	7	A. In 2007, I don't know which month.
8	Q. It's still there?	8	Q. And do you know whether Spirit
9	A. Yes.	9	Construction then performed the work that was
10	Q. And as far as you know, the copy of	10	required to be performed under this agreement?
11	this notice of assignment that was given to	11	A. We are continuing to perform that work.
12	Spirit Construction is in that file?	12	Q. Has Spirit Construction been paid by ST
13	A. I would say yes.	13	Paper for any of the work it's done under this
14	MR. CYRANOSKI: Are you guessing or do	14	contract?
5	you know?	15	A. Yes.
16	THE WITNESS: I am guessing. To the	16	Q. Just roughly speaking, can you
17	best of my knowledge.	17	
8	MR. CYRANOSKI: Can we take a short	18	approximate how much money has been paid to
9	break?	19	Spirit Construction by ST Paper pursuant to this
20	MR. UNDERHILL: Of course.	20	agreement which is Plaintiff's Exhibit No. 3?
1	(Recess taken.)	21	A. 9 to 10 million.
2	(Whereupon, Plaintiff's	22	Q. Has ST Paper paid any money to PCDI or
3	Exhibit No. 3 was marked for	23	TPTC as a subcontractor under this agreement,
4	identification.)		Plaintiff's Exhibit 3?
	50	24	Not to my knowledge.
and the ver	30		

19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 18 Q. How about just one? 19 A. Voith Paper Tissue, V-o-i-t-h. 20 Q. Do you know approximately how much 21 money has been paid to Pine Ridge Engineering 22 for the work that it's done in this project that 23 was supposed to have been done by TPTC? 24 A. We have paid over 250,000.				
lacks foundation. Internatives a legal conclusion and that it also lacks foundation. THE WITNESS: I don't know all of the things that they're doing, but they have not done anything till this port. BY MR. UNDERHILL: C. Has Spirit Construction found another subcontractor to do this same work under this contract? What does that mean? A. A We have self-performed it. C. What about operations and maintenance training and manutas? You had identified as TPTC was going to be doing that work. Who has done that work? In A. Price was going to be doing that work. Who has done that work? In A. Spirit, they did it themselves. C. What allow of perations and maintenance training manutas. C. Who the stisting mill and I believe they're using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using mill and I believe they true using mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they true using the existing mill and I believe they using the true when the using mill and I believe they used to the true they true using mill and			1	A. That is not – I don't know. To my
a THE WITNESS: I don't know all of the things that they're doing, but they have not done anything all this point. BY MR. UNDERHILL: C. Has Spirit Construction found another subconfuscior to do this same work under this contract? A. We have self-performed it. C. What does that mean? A. We have self-performed it. C. What does that mean? A. We have self-performed it. C. What does that mean? A. There is an existing mill and I believe they to using manuals. O. So Spirit, they did if themselves. O. So Spirit purve saying did the same work that Tissue Products Technology Company was supposed to do here? A. That could have done, yes. O. For example, which of these items shown in the scope of work did Spirit Construction undertake? A. Purchase of equipment. C. So Spirit Construction itself created the definition of the equipment that needed to be purchased and went out and purchased the familian to purchase it in the definition of the equipment that needed to be purchased and went out and purchased the familian to purchase it in the definition of the equipment in the definition of the equipment in the country of the work that its done and the purchased the equipment in the country of the purchased it in the definition of the equipment in the country of the purchased it in the definition of the equipment in the country of the purchased it in the definition of the equipment in the country of the purchased it in the definition of the equipment in the country of the purchased it in the definition of the equipment in the country of the purchase it in the definition of the equipment in the country of the purchase it in the definition of the equipment in the country of the purchase it in the definition of the equipment in the country of the purchase it			- 2	
thrugh that they're doring, but they have not done anything till this point. 8 W MR. UNDERHILL: 9 A. Has Spirit Construction found another subcontractor to do this same work under this contract? 10 contract? 11 A. We have self-performed it. 12 Q. What does that mean? 13 A. Spirit, they did it themselves. 14 Q. So Spirit, but're saying did the same work that Tissue Products Technology Company was supposed to do here? 15 work that Tissue Products Technology Company was supposed to do here? 16 Q. For example, which of these terms shown in the scope of work did Spirit Construction undertake? 20 Q. So Spirit Construction itself created the definition of the equipment that needed to be purchased and word out and purchased the see purchased and word out and purchased the sequipment? 1 equipment? 1 equipment? 2 A. We had an engineer. Pine Ridge 1 Engineering, the purchased the service of		Tourista port.	3	
6 done anything all this point. 7 BY MR. UNDERHILL: 8 C. Has Spirit Construction found another subcontractor to do this same work under this contract? 9 subcontractor to do this same work under this contract? 11 A. We have self-performed it. 12 C. What does that mean? 13 A. Spirit, flevy did it themselves. 14 C. So Spirit you're saying did the same work that Tissue Products Technology Company was supposed to do here? 15 work that Tissue Products Technology Company was supposed to do here? 16 verification? 17 A. That could have done, yes. 18 C. For example, which of these items shown in the scope of work did Spirit Construction undertak? 19 in the scope of work did Spirit Construction undertak? 21 A. Purchase of equipment. 22 O. So Spirit Construction itself created be purchased and went out and purchased the definition of the equipment that needed to be purchased and went out and purchased the equipment fly all the purchased the definition of the equipment that needed to be purchased and went out and purchased the experiment, flats how they're derived. 24 C. Locuden't quite hear what you said. 25 Say it again. 26 A. Pine Ridge Engineering. 27 Q. You hired Prine Ridge Engineering. 28 A. De Pere, Wisconsin. 29 A. De Pere, Wisconsin. 20 Q. Is he any relation to your family? 21 A. No. 22 A. Dan Pitkowski. 23 Q. Is he any relation to your family? 24 A. No. 25 Say at again. 26 Q. So at some point Spirit Construction went to Prine Ridge Engineering and asked Prine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 26 A. Correct. 27 A. Yes. 28 Q. What about the operations and engineering check out, who did that? 29 A. Yes. 30 Q. What about the operations and engineering check out, who did that? 31 A. We have a paid over 250,000.			4	
5 BY MR. (NDERHILL: 6 Q. Has Spirit Construction found another subcontractor to do this same work under this contract? 11 A. We have self-performed it. 12 Q. What does that mean? 13 A. Spirit, they did it themselves. 14 Q. So Spirit you're saying did the same work that Tissue Products Technology Company was supposed to do here? 15 work that Tissue Products Technology Company was supposed to do here? 16 Q. For example, which of these items shown in the scope of work did Spirit Construction undertake? 17 A. That could have done, yes. 18 Q. For example, which of these items shown in the scope of work did Spirit Construction undertake? 19 Province of the definition of the equipment. 20 Q. So Spirit footstruction is self-created the definition of the equipment that needed to be purchased and went out and purchased the equipment? 2 A. We had an engineer. Pine Ridge Engineering. 3 A. Pine Ridge Engineering. 4 Q. You hired Pine Ridge Engineering. 5 Q. You hired Pine Ridge Engineering. 5 Q. Who owns or operates Pine Ridge Engineering? 6 A. Pere, Wisconsin. 7 Q. Is he any relation to your family? 8 A. No. 8 C. Say it again. 9 A. We purchased the equipment manuals from ST Paper? 14 A. The equipment manuals are you referring to? 15 A. Proviously it was Oconto Fall's mill. 16 Now its ST Paper. 17 A. Previously it was Oconto Fall's mill. 18 Now its BT Paper. 19 A. Perve Wisch of these items shown in the could be purchased to equipment that work. 20 A. We had an engineer. Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 19 A. Correct. 10 A. Dan Pitkowski. 11 C. Who was t		things that they're doing, but they have not	5	A. I know on pieces there has been some
7 Q. What about operations and maintenance subcontractor to do this same work under this contract? 11 A. We have self-performed it. 12 Q. What does that mean? 13 A. Spirit, they did it themselves. 14 Q. So Spirit you've saying did the same work that Tissue Products Technology Company was supposed to do here? 15 A. That could have done, yes. 16 Q. For example, which of these items shown in the scope of work did Spirit Construction undertake? 21 A. Purchase of equipment. 22 Q. So Spirit Construction isself created to be purchased and went out and purchased the be purchased and energineer. Pine Ridge Engineering. 2 A. We had an engineer. Pine Ridge Engineering. 3 Q. You hired Pine Ridge Engineering. 4 Q. Po Pere, Wisconsin. 5 Say it again. 5 Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? A. No. C. So yell received. Q. And that included the engineering work shown here? A. Ves. Q. What about the operations and engineering check out, who did that? A. The equipment manuals are you refaming to? A. Ves. Q. What any relation to your family? A. No. Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was ex		done anything till this point.	6	
subcontractor to do this same work under this contract? A. We have self-performed it. C. So Spirit, they did it themselves. A. Spirit, they did it themselves. C. So Spirit you're saying did the same supposed to do here? A. That could have done, yes. C. For example, which of these kems shown in the scope of work did Spirit Construction undertake? A. Purchase of equipment. C. So Spirit Construction disself created the definition of the equipment that needed to be purchased and went out and purchased the be purchased and went out and purchased the be purchased and went out and purchased the formal spirit Construction of the equipment that needed to be purchased and went out and purchased the formal spirit Construction of the equipment that needed to be purchased and went out and purchased the formal spirit Construction of the equipment that needed to be purchased and went out and purchased the formal spirit Construction of the equipment that needed to be purchased and went out and purchased the formal spirit Construction of the equipment that needed to be purchased and went out and purchased the formal spirit Construction of the equipment that needed to be purchased and went out and purchased the formal spirit Construction of the equipment that needed to be purchased and went out and purchased the formal spirit Construction of the equipment what you said. Say it again. A. Pine Ridge Engineering. Q. You hired Pine Ridge Engineering. Where are they located? A. De Pere, Wisconsin. Q. Who owns or operates Pine Ridge Engineering? A. Dan Pitkowski. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your family? A. No. Q. Is he any relation to your	7	BY MR. UNDERHILL:	7	
subculturator to do this same work under this contract? 11 A. We have self-performed it. 12 C. What does that mean? 13 A. Spirit, they did it themselves. 14 C. So Spirit, tours eaying did the same work that Tissue Products Technology Company was 15 supposed to do here? 17 A. That could have done, yes. 18 C. For example, which of these items shown 19 in the scope of work did Spirit Construction undertake? 21 A. Purchase of equipment. 22 Q. So Spirit Construction fitself created 33 the definition of the equipment that needed to 44 be purchased and went out and purchased the 45 be purchased and went out and purchased the 45 be purchased and went out and purchased the 45 contract that talk about operating manuals. 45 Say it again. 46 A. Pine Ridge Engineering. 47 A. Purchase of equipment that you said. 48 Say it again. 49 A. De Pere, Wisconsin. 40 A. De Pere, Wisconsin. 41 C. Joudin't quite hear what you said. 42 Say it again. 43 C. For example, which of these items shown 45 the definition of the equipment that we been provided by ST Paper? 46 The Wisconsin. 47 A. We had an engineer. Pine Ridge 48 Say it again. 49 A. De Pere, Wisconsin. 40 A. De Pere, Wisconsin. 41 C. But when you say maintenance and training manuals. 41 C. But when you say maintenance and training manuals. 41 C. But when you say maintenance and training manuals we purchased. 41 C. Joudin't quite hear what you said. 42 Say it again. 43 There is an existing mill and I believe they're using the existing mill and it believe they're using the existing mills and in a maintenance vailing manuals. 40 A. Previously it was Cornto Fall's mill. 41 A. Previously it was Cornto Fall's mill. 42 A. Previously it was Cornto Fall's mill. 43 A. Previously it was Cornto Fall's mill. 44 C. And Just a minute ago we were looking at so	8	Q. Has Spirit Construction found another	8	
10 contract? 11 A. We have self-performed it. 12 Q. What does that mean? 13 A. Spirit, they did it themselves. 14 Q. So Spirit you're saying did the same 15 work that Tissue Products Technology Company was supposed to do here? 16 supposed to do here? 17 A. That could have done, yes. 18 Q. For example, which of these items shown in the scope of work did Spirit Construction undertake? 19 A. Purchase of equipment. 20 Q. So Spirit Construction itself created the definition of the equipment that needed to be purchased and went out and purchased the supplied that the definition of the equipment that needed to be purchased and went out and purchased the supplied that the definition of the equipment that needed to be purchased and went out and purchased the supplied that the supplied	9			
11 A. We have self-performed it. 12 Q. What does that mean? 13 A. Spirit, they did the themselves. 14 Q. So Spirit tyou're saying did the same work that Tissue Products Technology Company was supposed to do here? 15 work that Tissue Products Technology Company was supposed to do here? 16 A. Thet could have done, yes. 18 Q. For example, which of these items shown in the scope of work did Spirit Construction undertake? 19 A. Purchase of equipment. 20 Q. So Spirit Construction the definition of the equipment that needed to be purchased and work out and purchased the be purchased and work out and purchased the equipment? 21 A. We had an engineer. Pine Ridge Engineering, Marfs how they're derived. 22 Q. Louddn't quite hear what you said. 23 Say it again. 24 A. Pine Ridge Engineering. 25 Where are they located? 26 A. Pine Ridge Engineering. 27 Q. You hired Pine Ridge Engineering. 28 Where are they located? 39 A. De Pere, Wisconsin. 40 Q. browns or operates Pine Ridge Engineering? 41 A. No. 42 Louddn't quite hear what you said. 43 Say it again. 44 A. No. 45 Capigneering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 40 A. And that included the engineering work shown here? 41 A. Yes. 42 Q. What about the operations and engineering check out, who did that? 43 A. We have paid over 250,000.	10			
12 Q. What does that mean? 13 A. Spirit, they did it themselves. 14 Q. So Spirit you're saying did the same 15 work that Tissue Products Technology Company was 16 supposed to do here? 17 A. That could have done, yes. 18 Q. For example, which of these items shown 19 in the scope of work did Spirit Construction 19 undertake? 20 A. Purchase of equipment. 21 A. Purchase of equipment. 22 Q. So Spirit Construction tiself created 23 the definition of the equipment that needed to 24 be purchased and went out and purchased the 25 the definition of the equipment that needed to 26 be purchased and went out and purchased the 27 Engineering, that's how they're derived. 28 Engineering, that's how they're derived. 29 Q. You hired Pine Ridge Engineering. 30 Q. You hired Pine Ridge Engineering. 31 Q. Who owns or operates Pine Ridge 32 Engineering? 31 Q. Who owns or operates Pine Ridge 32 Engineering? 33 Q. Who owns or operates Pine Ridge 34 A. No. 35 So at some point Spirit Construction 36 where are they located? 39 A. Dan Pitkowski. 30 Q. So at some point Spirit Construction 30 went to Pine Ridge Engineering and asked Pine 31 Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 39 A. Correct. 40 Q. What about the operations and 41 engineering check out, who did that? 41 A. No. 42 O. What about the operations and 43 maintenance training manuals. 41 Q. Who is the existing mill? 42 Q. Who as that; 41 Q. And just a minute ago we were tooking at some manuals are sections in this provided by TPTC was supposed to provide. 42 Are you saying that those manuals being provided by TPTC had instead been provided by ST Paper? 44 A. We had an engineer. Pine Ridge 45 Engineering, that's how they're derived. 46 Q. I couldn't quite hear what you said. 47 Spirit say an inute ago we were tooking at some manuals are sections in this provided they ST Paper? 48 A. We had an engineer. Pine Ridge 49 Engineering, that's how they're derived. 49 Q. You hired Pine Ridge Engineering. 40 Q. Who owns or operates Pine Ridge	11	A. We have self-performed it.		SOUR PROCESS
13 A. Spirit, they did it themselves. 14 Q. So Spirit you're saying did the same 15 work that Tissue Products Technology Company was 16 supposed to do here? 17 A. That could have done, yes. 18 Q. For example, which of these items shown 19 in the scope of work did Spirit Construction 20 undertake? 21 A. Purchase of equipment. 22 Q. So Spirit Construction itself created 23 the definition of the equipment that needed to 24 be purchased and went out and purchased the 25 the definition of the equipment that needed to 26 be purchased and went out and purchased the 27 equipment? 28 A. We had an engineer. Pine Ridge 29 Engineering, that's how they're derived. 39 Q. Toouldn't quite hear what you said. 39 Say it again. 30 Q. You hired Pine Ridge Engineering. 31 O. Who owns or operates Pine Ridge 32 Engineering? 33 Pare they located? 34 A. No. 35 Q. So at some point Spirit Construction 36 were they located? 39 A. No. 40 Q. So at some point Spirit Construction 41 A. No. 41 A. No. 42 G. From whom did you purchase it? 43 A. No. 44 Correct. 45 Q. And that included the engineering work shown here? 46 A. Yes. 47 A. Yes. 48 Q. What about the operations and engineering check out, who did that? 49 A. Yes. 40 Q. What about the operations and engineering check out, who did that? 40 Pare visusly it was Oconto Fall's milt. 41 Now 't's ST Paper. 41 A. Purchase of equipment. 42 Exhibit G, that TPTC was supposed to provide. 41 Are you saying that those manuals being provided by TPTC was supposed to provide by TPTC was supposed to provide by TPTC was supposed to provide by TPTC. 41 A. Pine Ridge Engineering. 42 D. But when you say maintenance and training manuals are you referring to? 43 Del when you say maintenance and training manuals are you referring to? 44 A. No. 55 Paper? 56 Del when you say maintenance and training manuals are you referring to? 57 A. Equipment manuals are you referring to? 58 Pare visusle deen provided by ST Paper, then what manuals are you referring to? 59 A. No. 50 C. Say it again. 51 A. Previously it was the sea	12			
14 Q. So Spirit you're saying did the same work that Tissue Products Technology Company was supposed to do here? 17 A. That could have done, yes. 18 Q. For example, which of these items shown in the scope of work did Spirit Construction undertake? 20 A. Purchase of equipment. 21 A. Purchase of equipment. 22 Q. So Spirit Construction itself created the definition of the equipment that needed to be purchased and went out and purchased the purchased and went out and purchased the say it again. 10 A. Whe had an engineer. Pine Ridge Engineering. 22 A. We had an engineer. Pine Ridge Engineering. 33 A. De Pere, Wisconsin. 4 Q. You hired Pine Ridge Engineering. 4 A. De Pere, Wisconsin. 5 Q. Who owns or operates Pine Ridge Engineering? 4 A. Dan Pitkowski. 5 Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 4 A. Yes. 2 A. Yes. 2 A. Yes. 2 A. Yes. 2 A. We had that included the engineering work shown here? 2 A. Yes. 2 A. We had base teems shown in the scope of work did Spirit Construction work had that work that its known of portal stems shown in the prevail of the equipment that we bought. 3 C. Who was that? 4 Q. Who was that? 5 A. The equipment manufacturer. 5 A. No. 5 C. Who was that? 6 A. There is an array of equipment that we bought. 7 A. Voith Paper Tissue, V-o-H-h. 8 Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that its done in this project that was supposed to have been done by TPTC? 2 A. We have paid over 250,000.	13			a) to acred our cyangle truit 2 obers000 St/0
work that Tissue Products Technology Company was supposed to do here? A. That could have done, yes. Q. For example, which of these items shown in the scope of work did Spirit Construction undertake? A. Previously it was Oconto Fall's mill. Now it's ST Paper. Q. And just a minute ago we were looking at some manuals and some sections in this contract that talk about operating manuals. Exhibit G, that TPTC was supposed to provide. Are you saying that those manuals being provided by TPTC had instead been provided by ST Paper? A. We had an engineer. Pine Ridge equipment? A. We had an engineer. Pine Ridge engineering. A. Pine Ridge Engineering. A. Pine Ridge Engineering. A. Pine Ridge Engineering. Where are they located? A. De Pere, Wisconsin. Q. Who wars or operates Pine Ridge engineering? A. Dan Pitkowski. Q. Is he any relation to your family? A. No. Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? A. Correct. Q. And that included the engineering work shown here? A. We have paid over 250,000.	14			The state of the s
16	15		200.000	
17 A. That could have done, yes. 18 Q. For example, which of these items shown 19 in the scope of work did Spirit Construction 20 undertake? 21 A. Purchase of equipment. 22 Q. So Spirit Construction itself created 23 the definition of the equipment that needed to 24 be purchased and went out and purchased the 57 1 equipment? 2 A. We had an engineer. Pine Ridge 3 Engineering, that's how they're derived. 4 Q. I couldn't quite hear what you said. 5 Say it again. 6 A. Pine Ridge Engineering. 8 Where are they located? 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. Q. So at some point Spirit Construction 15 went to Pine Ridge Engineering and asked Pine 16 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 25 Exhibit G, that TPTC was supposed to provide. 26 Exhibit G, that TPTC was supposed to provide. 27 Are you saying that those manuals being provided by TPTC had instead been provided by ST Paper. 28 A. We had an engineer. Pine Ridge 29 provided by TPTC had instead been provided by ST Paper? 20 A. We have poid to provide. 21 Are you saying that those manuals being provided by TPTC had instead been provided by ST Paper? 22 A. We had an engineer. Pine Ridge 23 provided by TPTC had instead been provided by ST Paper? 24 MR CYRANOSKI: Asked and answered and 59 25 MR CYRANOSKI: Asked and answered and training manuals have been produced by ST Paper? 26 A. We have pour operates Pine Ridge 27 A. We have paid to provide. 28 A. We have paid to provide. 29 A. Yes. 30 Q. And that included the engineering work shown here? 31 A. We have paid over 250,000.	16			
18 Q. For example, which of these items shown in the scope of work did Spirit Construction undertake? 21 A. Purchase of equipment. 22 Q. So Spirit Construction itself created 23 the definition of the equipment that needed to be purchased and went out and purchased the 24 be purchased and went out and purchased the 25 be purchased and went out and purchased the 26 purchased and went out and purchased the 27 provided by TPTC had instead been provided by ST Paper? 28 A. We had an engineer. Pine Ridge Engineering, that's how they're derived. 39 A. Pine Ridge Engineering. 30 A. Pine Ridge Engineering. 31 A. Pine Ridge Engineering. 32 Where are they located? 33 A. De Pere, Wisconsin. 34 Q. Who owns or operates Pine Ridge Engineering? 35 A. Dan Pitkowski. 36 A. Dan Pitkowski. 37 A. No. 38 A. Dan Pitkowski. 39 A. Dan Pitkowski. 40 C. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 39 A. Correct. 40 Q. And that included the engineering work shown here? 41 A. Yes. 42 C. What about the operations and engineering check out, who did that? 42 C. So visit again. 43 C. From whom did you purchase it? 44 C. There is an array of equipment that we bought. 45 C. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 45 C. Prometric that talk about operations and the some manuals and some amprovided by TPTC had instead been provided by TPTC had instead been provided by ST Paper? 46 C. Paper? 47 MR. CYRANOSKI: Asked and answered and training manuals have been provided by ST Paper? 48 C. Provided by TPTC had instead been provided by ST Paper? 49 A. De Pere, Wisconsin. 40 D. By MR. UNDERHILL: 41 D. But when you saying that those manuals being provided by TPTC had instead been provided by TPTC had inste	1			
19 in the scope of work did Spirit Construction 20 undertake? 21 A. Purchase of equipment. 22 Q. So Spirit Construction itself created 23 the definition of the equipment that needed to 24 be purchased and went out and purchased the 57 1 equipment? 2 A. We had an engineer. Pine Ridge 3 Engineering, that's how they're derived. 4 Q. I couldn't quite hear what you said. 5 Say it again. 6 A. Pine Ridge Engineering. 7 Q. You hired Pine Ridge Engineering. 8 Where are they located? 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 26 contract that talk about operating manuals. 27 Exhibit G, that TPTC was supposed to provide. 28 Are you saying that those manuals being provided by ST Paper? 29 Are you saying that those manuals being provided by TPTC had instead been provided by ST Paper? 24 MR CYRANOSKI: Asked and answered and 25 THE WITNESS: I have no knowledge. 26 BY MR. UNDERHILL: 27 Objection, lacks foundation. 28 MR. UNDERHILL: 29 Objection, lacks foundation. 20 And when you say maintenance and training manuals have been produced by ST Paper? 29 A. De Pere, Wisconsin. 20 C. But when you say maintenance and training manuals have been produced by ST Paper? 29 A. De Pere, Wisconsin. 30 Diplection, lacks foundation. 31 Objection, lacks foundation. 32 THE WITNESS: I have no knowledge. 33 BY MR. UNDERHILL: 4 O. But when you say maintenance and training manuals have been produced by ST Paper? 4 No. Q. Say it again. 4 C. From whom did you purchase it? 4 A. The equipment manufacturer. 4 A. There is an array of equipment that we bought. 4 A. Veil Paper Tissue, Vo-i+I-h. 4 Q. Do you k				
20 undertake? 21 A. Purchase of equipment. 22 Q. So Spirit Construction itself created 23 the definition of the equipment that needed to 24 be purchased and went out and purchased the 25 be purchased and went out and purchased the 26 equipment? 27 A. We had an engineer. Pine Ridge 28 Engineering, that's how they're derived. 39 Q. I couldn't quite hear what you said. 40 Say it again. 41 A. Pine Ridge Engineering. 42 A. Pine Ridge Engineering. 43 De Pere, Wisconsin. 44 Q. I who owns or operates Pine Ridge 45 Engineering? 46 A. Dan Pitkowski. 47 A. No. 48 Dan Pitkowski. 49 A. Dan Pitkowski. 40 Q. Is a same point Spirit Construction went to Pine Ridge Engineering and asked Pine 40 Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 41 A. Correct. 42 Q. And that included the engineering work shown here? 43 Q. What about the operations and engineering check out, who did that? 44 A. We have paid over 250,000. 45 Exhibli G, that TPTC was supposed to provide. 46 Are you saying that those manuals being provided by TPTC had instead been provided by ST Paper? 46 MR. CYRANOSKI: Asked and answered and objection, lacks foundation. 47 THE WITHESS: I have no knowledge. 48 BYMR. UNDERHILL: 40 Delivent when you say maintenance and training manuals have been produced by ST Paper? 41 A. Equipment manuals are you referring to? 42 A. We purchased the equipment manuals from ST Paper? 43 A. No. 44 The equipment manufacturer. 45 C. Who was that? 46 A. There is an array of equipment that we bought. 47 A. Voith Paper Tissue, V-o-t-th. 48 Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 48 A. We have paid over 250,000.			18	at some manuals and some sections in this
21 A. Purchase of equipment. 22 Q. So Spirit Construction itself created 23 the definition of the equipment that needed to 24 be purchased and went out and purchased the 25 be purchased and went out and purchased the 26 captineering, that's how they're derived. 27 A. We had an engineer. Pine Ridge 28 Engineering, that's how they're derived. 29 A. Pine Ridge Engineering. 20 You hired Pine Ridge Engineering. 31 Engineering? 4 A. De Pere, Wisconsin. 4 Q. You brided Pine Ridge Engineering. 4 A. Dan Pitkowski. 5 A. Dan Pitkowski. 5 A. Dan Pitkowski. 6 A. Pine Ridge Engineering and asked Pine 7 Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 8 A. Correct. 8 Q. And that included the engineering work 8 shown here? 8 A. Yes. 9 A. We had an engineer. Pine Ridge Engineering and asked Pine 8 Where are they located? 9 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 18 A. Correct. 19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and engineering check out, who did that? 24 Exhibit Is, Are you saying that those manuals being provided by TPTC had instead been provided by ST Paper? 24 Are you saying that those manuals being provided by TPTC had instead been provided by ST 25 Are you saying that those manuals being provided by TPTC had instead been provided by ST 26 Paper? 27 MR. CYRANOSKI: Asked and answered and training manuals have been produced by ST Paper? 28 BY MR. UNDERHILL: 4 Q. But when you say maintenance and training manuals have been produced by ST Paper? 29 A. Equipment manuals we purchased. 3 BY MR. UNDERHILL: 4 Q. But when you say maintenance and training manuals have been produced by ST Paper? 4 A. We purchased the equipment manuals from ST Paper? 4 A. No. 4 The equipment manuals from ST Paper? 4 A. Voith Pape	1		19	
22 Q. So Spirit Construction itself created 23 the definition of the equipment that needed to 24 be purchased and went out and purchased the 25 be purchased and went out and purchased the 26 caption of the equipment that needed to 27 be purchased and went out and purchased the 28 caption of the equipment of the equipment? 29 A. We had an engineer. Pine Ridge 30 Engineering, that's how they're derived. 40 Q. I couldn't quite hear what you said. 51 Say it again. 52 A. Pine Ridge Engineering. 53 Where are they located? 54 A. De Pere, Wisconsin. 55 Q. Who owns or operates Pine Ridge 56 Engineering? 57 A. Dan Pitkowski. 58 Q. Is he any relation to your family? 59 A. No. 50 Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine 58 Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 59 A. Correct 50 Q. And that included the engineering work 51 shown here? 52 A. Yes. 53 Q. What about the operations and engineering check out, who did that? 56 Are you saying that those manuals being provided by TPTC had instead been provided by ST 23 provided by TPTC had instead been provided by ST 24 Paper? 24 MR. CYRANOSKI: Asked and answered and 25 THE WITNESS: I have no knowledge. 26 By MR. UNDERHILL: 4 Q. But when you say maintenance and training manuals have been produced by ST Paper? 58 A. Equipment manuals are you referring to? 59 A. De Pere, Wisconsin. 60 Q. Who owns or operates Pine Ridge 61 Engineering? 62 A. Dan Pitkowski. 63 By MR. CYRANOSKI: Asked and answered and 64 CR. CYRANOSKI: Asked and answered and 65 The WITNESS: I have no knowledge. 64 By MR. CYRANOSKI: Asked and answered and 65 training manuals have been produced by ST Paper? 66 the what manuals are you referring to? 67 A. Equipment manuals we purchased. 68 Q. Say it again. 69 A. No. 60 C. But when you say maintenance and training manuals have been produced by ST Paper? 60 A. Equipment manuals are you referring to? 61 A. No. 61 C. But when you say maintenance and training manuals have been produced	1		20	Exhibit G, that TPTC was supposed to provide.
22 provided by TPTC had instead been provided by ST 23 paper? 24 be purchased and went out and purchased the 25 be purchased and went out and purchased the 26 capture for the definition of the equipment that needed to be purchased and went out and purchased the 27 been purchased and went out and purchased the 28 capture for the definition of the equipment? 29 A. We had an engineer. Pine Ridge 20 Engineering, that's how they're derived. 30 C. Loouldn't quite hear what you said. 31 Say it again. 4 A. Pine Ridge Engineering. 4 C. You hired Pine Ridge Engineering. 4 De Pere, Wisconsin. 4 De Pere, Wisconsin. 5 C. So and prikowski. 5 C. So and prikowski. 5 C. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 5 C. A. Correct. 6 C. And that included the engineering work shown here? 6 A. Yes. 6 C. So at some point Spirit Construction was expected to be done by TPTC, correct? 7 A. Correct. 8 C. Who was that? 8 C. YRANOSKI: Asked and answered and 59 8 MR. CYRANOSKI: Asked and			21	
be purchased and went out and purchased the 57 equipment? A. We had an engineer. Pine Ridge Engineering, that's how they're derived. Q. I couldn't quite hear what you said. Say it again. A. Pine Ridge Engineering. Q. You hired Pine Ridge Engineering. Where are they located? A. De Pere, Wisconsin. Q. Who owns or operates Pine Ridge Engineering? A. Dan Pitkowski. Q. Is he any relation to your family? A. No. Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering work shown here? A. Correct. Q. And that included the engineering work shown here? A. Yes. Q. What about the operations and engineering check out, who did that? A. We have paid over 250,000.	l		22	
1 equipment? 2 A. We had an engineer. Pine Ridge 3 Engineering, that's how they're derived. 4 Q. I couldn't quite hear what you said. 5 Say it again. 6 A. Pine Ridge Engineering. 7 Q. You hired Pine Ridge Engineering. 8 Where are they located? 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge Engineering Pile Engineering? 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work shown here? 21 A. Yes. 22 Q. What about the operations and engineering check out, who did that? 2 objection, lacks foundation. 2 THE WITNESS: I have no knowledge. 3 BYMR. UNDERHILL: 4 Q. But when you say maintenance and training manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals are you referring to? 4 A. Equipment manuals we purchased. 8 Q. Say it again. 9 A. We purchased the equipment manuals from ST Paper? 12 A. No. 13 Q. From whom did you purchase it? 14 A. The equipment manufacturer. 15 Q. Who was that? 16 A. There is an array of equipment that we bought. 18 Q. How about just one? 19 A. Voith Paper Tissue, V-o-i-t-h. 20 Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 24 A. We have paid over 250,000.			23	
1 equipment? 2 A. We had an engineer. Pine Ridge 3 Engineering, that's how they're derived. 4 Q. I couldn't quite hear what you said. 5 Say it again. 6 A. Pine Ridge Engineering. 7 Q. You hired Pine Ridge Engineering. 8 Where are they located? 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. 10 Q. And that included the engineering work 11 shown here? 12 A. Yes. 13 Q. What about the operations and 14 engineering check out, who did that? 15 objection, lacks foundation. 16 In WITNESS: I have no knowledge. 18 JEMR. UNDERHILL: 2 THE WITNESS: I have no knowledge. 3 BY MR. UNDERHILL: 4 Q. But when you say maintenance and training manuals have been produced by ST Paper, then what manuals are you referring to? 4 A. Equipment manuals we purchased. 8 Q. Say it again. 9 A. We purchased the equipment manuals from ST Paper? 12 A. No. 13 Q. From whom did you purchase it? 14 A. There is an array of equipment that we bought. 16 A. There is an array of equipment that we bought. 17 D. How about just one? 18 A. Yes. 19 A. Voith Paper Tissue, V-o-i+th. 20 Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 18 A. We have paid over 250,000.	24	be purchased and went out and purchased the	24	MR. CYRANOSKI: Asked and answered and
1 equipment? 2 A. We had an engineer. Pine Ridge 3 Engineering, that's how they're derived. 4 Q. I couldn't quite hear what you said. 5 Say it again. 6 A. Pine Ridge Engineering. 7 Q. You hired Pine Ridge Engineering. 8 Where are they located? 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 2 I MW INDERHILL: 4 Q. But when you say maintenance and training manuals have been produced by ST Paper, then what manuals have been done by ST Paper, then what manuals have been done by ST Paper, then w		57		
2 A. We had an engineer. Pine Ridge 3 Engineering, that's how they're derived. 4 Q. I couldn't quite hear what you said. 5 Say it again. 6 A. Pine Ridge Engineering. 7 Q. You hired Pine Ridge Engineering. 8 Where are they located? 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge Engineering? 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work shown here? 21 A. Yes. 22 Q. What about the operations and engineering check out, who did that? 22 The WITNESS: I have no knowledge. 23 BY MR. UNDERHILL: 24 Q. But when you say maintenance and training manuals have been produced by ST Paper, then what manuals are you referring to? 25 A. We purchased the equipment manuals from ST Paper? 26 A. No. 27 A. We purchased the equipment manuals from ST Paper? 28 A. No. 29 A. No. 20 From whom did you purchase it? 20 A. How about just one? 30 BY MR. UNDERHILL: 40 A. But when you say maintenance and training manuals have been produced by ST Paper, then what manuals are you referring to? 4 A. We have pour chased. 5 A. Equipment manuals we purchased. 6 A. Pein what manuals are you referring to? 4 A. We have nyou say maintenance and training manuals have been produced by ST Paper, then what manuals are you referring to? 4 A. We have nyou say maintenance and training manuals have been produced by ST Paper, then what manuals are you referring to? 4 A. We have paid over 250,000.	١.			
Engineering, that's how they're derived. Q. I couldn't quite hear what you said. Say it again. A. Pine Ridge Engineering. Q. You hired Pine Ridge Engineering. Where are they located? A. De Pere, Wisconsin. Q. Who owns or operates Pine Ridge Engineering? A. Dan Pitkowski. Q. Is he any relation to your family? A. No. Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? A. Yes. Q. What about the operations and engineering check out, who did that? BY MR. UNDERHILL: Q. But when you say maintenance and training manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals are you referring to? A. Equipment manuals we purchased. Q. Say it again. A. We purchased the equipment manuals from ST Paper? A. No. Q. From whom did you purchase it? A. The equipment manufacturer. Q. Who was that? A. There is an array of equipment that we bought. Q. How about just one? A. Voith Paper Tissue, V-o-i-t-h. Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? A. We have paid over 250,000.		The state of the s	1	objection, lacks foundation.
3 BY MR. UNDERHILL: 4 Q. I couldn't quite hear what you said. 5 Say it again. 6 A. Pine Ridge Engineering. 7 Q. You hired Pine Ridge Engineering. 8 Where are they located? 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? 18 Q. And that included the engineering work shown here? 19 A. Correct. 20 Q. And that included the engineering work shown here? 21 A. Yes. 22 Q. What about the operations and engineering check out, who did that? 23 BY MR. UNDERHILL: 2 Q. But when you say maintenance and training manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have been done by TP aper in sing manuals have been produced by ST Paper, then what manuals have been produced by ST Paper, then what manuals have purchased the equipment. Q. And you purchased the equipment manuals from ST Paper? A. No. 13 Q. From whom did you purchase it? A. The equipment manufacturer. Q. Who was that? A. There is an array of equipment that we bought. Q. How about just one? A. Voith Paper Tissue, V-o+i+h. Q. Do you know	4000	A. We had an engineer. Pine Ridge	2	THE WITNESS: I have no knowledge.
5 Say it again. 6 A. Prine Ridge Engineering. 7 Q. You hired Pine Ridge Engineering. 8 Where are they located? 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 5 training manuals have been produced by ST Paper, 16 then what manuals are you referring to? A. Equipment manuals we purchased. A. We purchased the equipment. Q. And you purchased the equipment manuals from ST Paper? 12 A. No. 13 Q. From whom did you purchase it? A. The equipment manufacturer. Q. Who was that? 15 Q. Who was that? 16 D. A. We was was that? 17 D. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 18 A. We have paid over 250,000.		Engineering, that's how they're derived.	3	
training manuals have been produced by ST Paper, A. Pine Ridge Engineering. Where are they located? A. De Pere, Wisconsin. Who owns or operates Pine Ridge Engineering? A. Dan Pitkowski. A. No. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? A. Correct. A. Yes. Q. What about the operations and engineering check out, who did that? Learning manuals have been produced by ST Paper, then what manuals are you referring to? A. Equipment manuals we purchased. Q. Say it again. A. We purchased the equipment. Q. And you purchased the equipment manuals from ST Paper? A. No. Q. From whom did you purchase it? A. The equipment manufacturer. Q. Who was that? A. There is an array of equipment that we bought. Q. How about just one? A. Voith Paper Tissue, V-0-i-t-h. Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? A. We have paid over 250,000.			4	Q. But when you say maintenance and
then what manuals are you referring to? Q. You hired Pine Ridge Engineering. Where are they located? A. De Pere, Wisconsin. Q. Who owns or operates Pine Ridge Engineering? A. Dan Pitkowski. Q. Is he any relation to your family? A. No. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? A. Correct. Q. And that included the engineering work shown here? A. Yes. Q. What about the operations and engineering check out, who did that? but then what manuals are you referring to? A. Equipment manuals we purchased. Q. Say it again. A. We purchased the equipment. Q. And you purchase it? A. No. Q. From whom did you purchase it? A. The equipment manufacturer. Q. Who was that? A. There is an array of equipment that we bought. Q. How about just one? A. Voith Paper Tissue, V-o-i-t-h. Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? A. We have paid over 250,000.		575 USA - 10 AUGUST 1	5	
Where are they located? A. De Pere, Wisconsin. Q. Who owns or operates Pine Ridge Engineering? A. Dan Pitkowski. Q. Is he any relation to your family? A. No. Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? A. Correct. Q. And that included the engineering work shown here? A. Yes. Q. What about the operations and engineering check out, who did that? A. De Pere, Wisconsin. Q. Say it again. A. We purchased the equipment. Q. And you purchased the equipment manuals from ST Paper? A. No. Q. From whom did you purchase it? A. The equipment manufacturer. Q. Who was that? A. There is an array of equipment that we bought. Q. How about just one? A. Voith Paper Tissue, V-o-i-t-h. Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? A. We have paid over 250,000.			6	then what manuals are you referring to?
8 Q. Say it again. 9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 8 Q. Say it again. 9 A. We purchased the equipment. 10 Q. And you purchased the equipment manuals 11 from ST Paper? 12 A. No. 13 Q. From whom did you purchase it? 14 A. The equipment manufacturer. 15 Q. Who was that? 16 A. There is an array of equipment that we bought. 17 bought. 18 Q. How about just one? 19 A. Voith Paper Tissue, V-o+t-h. 20 Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 24 A. We have paid over 250,000.			7	
9 A. De Pere, Wisconsin. 10 Q. Who owns or operates Pine Ridge 11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 9 A. We purchased the equipment. 10 Q. And you purchased the equipment manuals 11 from ST Paper? 12 A. No. 13 Q. From whom did you purchase it? 14 A. The equipment manufacturer. 15 Q. Who was that? 16 A. There is an array of equipment that we bought. 17 bought. 18 Q. How about just one? 19 A. Voith Paper Tissue, V-o-i-t-h. 20 Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	8		8	S
11 Engineering? 12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 10 Q. And you purchased the equipment manuals 11 from ST Paper? 12 A. No. 13 Q. From whom did you purchase it? 14 A. The equipment manufacturer. 15 Q. Who was that? 16 A. There is an array of equipment that we bought. 17 bought. 18 Q. How about just one? 19 A. Voith Paper Tissue, V-o-i-t-h. 20 Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 18 A. We have paid over 250,000.	9		9	
12 A. Dan Pitkowski. 13 Q. Is he any relation to your family? 14 A. No. 15 Q. So at some point Spirit Construction 16 went to Pine Ridge Engineering and asked Pine 17 Ridge Engineering to do some of the work that 18 was expected to be done by TPTC, correct? 19 A. Correct. 20 Q. And that included the engineering work 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 21 from ST Paper? 12 A. No. 13 Q. From whom did you purchase it? 14 A. The equipment manufacturer. 15 Q. Who was that? 16 A. There is an array of equipment that we bought. 17 bought. 18 Q. How about just one? 19 A. Voith Paper Tissue, V-o-i-t-h. 20 Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	10	Q. Who owns or operates Pine Ridge	10	
A. Dan Pitkowski. Q. Is he any relation to your family? A. No. Q. So at some point Spirit Construction went to Pine Ridge Engineering and asked Pine Ridge Engineering to do some of the work that was expected to be done by TPTC, correct? A. Correct. Q. And that included the engineering work shown here? A. Yes. Q. What about the operations and engineering check out, who did that? 12 A. No. 13 Q. From whom did you purchase it? A. The equipment manufacturer. Q. Who was that? A. There is an array of equipment that we bought. D. How about just one? A. Voith Paper Tissue, V-o-i-t-h. Q. Do you know approximately how much money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? A. We have paid over 250,000.	11	Engineering?	11	from CT Danner
20 Q. Do you know approximately how much 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 26 Q. Do you know approximately how much 27 money has been paid to Pine Ridge Engineering 28 for the work that it's done in this project that 29 was supposed to have been done by TPTC? 29 A. We have paid over 250,000.	12	A. Dan Pitkowski.	1000	A. No.
20 Q. Do you know approximately how much 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 26 Q. Do you know approximately how much 27 money has been paid to Pine Ridge Engineering 28 for the work that it's done in this project that 29 was supposed to have been done by TPTC? 29 A. We have paid over 250,000.	13	Q. Is he any relation to your family?	110000	O. From whom did you must be as
20 Q. Do you know approximately how much 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 20 Q. Do you know approximately how much 21 money has been paid to Pine Ridge Engineering 22 for the work that it's done in this project that 23 was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	14			A. The equipment manufacture
20 Q. Do you know approximately how much 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 20 Q. Do you know approximately how much 21 money has been paid to Pine Ridge Engineering 22 for the work that it's done in this project that 23 was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	15	Q. So at some point Spirit Construction		Who was there?
20 Q. Do you know approximately how much 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 20 Q. Do you know approximately how much 21 money has been paid to Pine Ridge Engineering 22 for the work that it's done in this project that 23 was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	16			A Thore is on a series
20 Q. Do you know approximately how much 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 20 Q. Do you know approximately how much 21 money has been paid to Pine Ridge Engineering 22 for the work that it's done in this project that 23 was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	17	Ridge Engineering to do some of the work that		humbl
20 Q. Do you know approximately how much 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 20 Q. Do you know approximately how much 21 money has been paid to Pine Ridge Engineering 22 for the work that it's done in this project that 23 was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	18	was expected to be done by TPTC. mrant?	100	O Hamada Ada a
20 Q. Do you know approximately how much 21 shown here? 22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 20 Q. Do you know approximately how much 21 money has been paid to Pine Ridge Engineering 22 for the work that it's done in this project that 23 was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	19		20000	G. now about just one?
21 shown here? 22 A. Yes. 23 Q. What about the operations and engineering check out, who did that? 24 engineering check out, who did that? 25 money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	20	Vittle ALL A CREATE CONTROL OF THE STATE OF	4910000	
22 A. Yes. 23 Q. What about the operations and 24 engineering check out, who did that? 25 money has been paid to Pine Ridge Engineering for the work that it's done in this project that was supposed to have been done by TPTC? 24 A. We have paid over 250,000.	21			
23 Q. What about the operations and 23 was supposed to have been done by TPTC? 24 engineering check out, who did that? 24 A. We have paid over 250,000.		14 AVEN CONTROL OF THE CONTROL OF TH		
24 engineering check out, who did that? 24 A. We have paid over 250,000.		3000		
58				
58	~ 7		24	A. We have paid over 250,000.
The state of the s		58		60

-			
	1 So are you telling me and the	T	
1	So are you telling me now that when you signed this, you didn't expect that you would be		1 contract that we are working under up at Oconto
	using those subcontractors?		2 Falls right now. The one we are working under
	A. It's a list of subcontractors that we	- 1	3 in Oconto Falls is the one that you are
1			4 referring to here.
1			5 MR. UNDERHILL: I'll have the court
,	and you exhert you were doing to		6 reporter read back his answer.
,	and about additions for those purposes whe	n	(Whereupon, the record was read.)
9			8 BY MR. UNDERHILL:
10	in the to my knowledge.	1 :	 Q. When you say that I'm referring to
11	an across do park tot last a moment to	10	here, what are you talking about?
12	and hende adjectment. Fook at the	11	
13	a part of the bigger document. It's	12	MR. CYRANOSKI: It's Exhibit 1,
14	and the levised one.	13	
15	you direct your attention to the	14	THE WITNESS: I'm sorry.
16	paragraph, the title trial begins we confirm	15	
17	to the crocontracts, remember I	16	Q. Sir, this isn't that complicated. I'm
18	had you read that earlier today?	17	asking you to look at the acknowledgment and
	A. Yes.	18	consent document and it says we confirm that the
19 20	Q. It says: We confirm that the terms of	19	terms of the EPC contracts remain in full force
21	the EPC contracts remain in full force and	20	and effect.
22	effect.	21	Do you see that sentence?
23	This contract that we're just looking	22	
23	at right now, this Exhibit 3, that's one of the	23	Q. What EPC contracts were you referring
24	four EPC contracts that you were referring to in	24	to when you signed this document?
	73		75
1	this consent to assignment, right?		78
2	A. This is not the contract	1	We were referring to Oconto Falls
3	A. This is not the contract we're working off of to do this project that we are under.	2	Tissue. That was the fourth one that I left out
4	O. Let me spo if Lundament	3	earlier when I said there were four. One in
5	 Q. Let me see if I understand you. I want you to answer my question. 	4	Oconto Falls, one in De Pere, one in Utah and
6	A. Uh-huh.	5	one in Pennsylvania. Those are the four.
7	Q. If the answer to my question is no,	6	MR. CYRANOSKI: Could you read that
8	then you say no or if it's yes, say yes or say I	7	back, please.
9	don't understand your question.	8	(Whereupon, the record was read.)
0		9	BY MR. UNDERHILL:
1	You said in this consent to assignment we confirm that the terms of the EPC contract	10	Q. And of those four contracts, none of
2	remain in full force and effect.	11	them is Exhibit 3?
3		12	A. Exhibit 3 is the contract I signed so
4	Is the contract that we're looking at	13	that they could go out and get funding for the
5	this morning, this Exhibit 3, one of those contracts?	14	purchase of Oconto Falls.
6	A. No.	15	Q. Who is they?
7	193 (1990) (1990) (1990)	16	A. I believe ST Paper or Goldman Sachs.
, B	Q. Where are the four EPC contracts that	17	Q. And that was the sole purpose for that
9	you told IFC were in full force and effect back	18	document?
,)	in March of 2007?	19	A. Yes.
,	A. This one that you handed me as	20	Q. So it wasn't really a genuine contract
	Exhibit 3 confused me because it says Oconto	21	by which you would perform work?
2	Falls and De Pere. The contract that I'm doing	22	A. No.
3	has nothing to do with De Pere. It is Oconto	23	Q. It was done merely to allow ST Paper or
	Falls. We looked through this. This is not the	24	Barclays or whomever to try and find funding for
			~ / our and the first lot

1	BY MR. UNDERHILL:	1	Q. What are close-out documents?
2	- you oight a contact tribts a littliff	2	
3	and a norming criatinges, is there an	3	
4	executed contract normally done as well or does	4	
5	the funding contract become the executed	5	
6	contract?	6	executed Oconto Falls contract?
7	 A. In this case the funding contract did 	7	
8	not become the executed contract.	8	calls for speculation.
9	Q. And why not?	9	THE WITNESS: We don't know at this
10	A. We took De Pere, Wisconsin out of it.	10	point. We're not to that point yet.
11	We wanted to go for 20 million and it was for	11	BY MR. UNDERHILL:
12	the purchase of Oconto Falls Tissue. It had	12	Q. How far are you from that point, do you
13	nothing to do with the De Pere facility.	13	think?
14	 Q. So that seemed to be a pretty 	14	MR. CYRANOSKI: Again I'll object that
15	significant change then.	15	it calls for speculation.
16	MR. CYRANOSKI: Wait for a question.	16	THE WITNESS: To the best of my
17	BY MR. UNDERHILL:	17	knowledge, the middle of this year to the end of
18	Q. Is it?	18	this year.
19	You're making it sound like, or maybe	19	BY MR. UNDERHILL:
20	I'm mishearing it, that that's a small change	20	Q. June till December of 2008?
21	from what the funding contract was, but it	21	A. Yes.
22	actually sounds like kind of a significant	22	Q. And it's also possible that neither
23	change.	23	PCDI nor TPTC will be engaged as subcontractors
24	MR. CYRANOSKI: Wait for a question.	24	under that contract?
	97		99
1	BY MR. UNDERHILL;	1	MR. CYRANOSKI: Again I'll object that
2	Q. Is that a significant change, in your	2	it calls for speculation.
3	opinion?	3	THE WITNESS: At this moment I have no
4	A. No.	4	knowledge.
5	 Q. So at some point you have in your files 	5	BY MR. UNDERHILL:
6	a copy of the executed Oconto Falls contract?	6	Q. The contract that we've been talking
7	A. Yes.	7	about is the Oconto Falls contract, is that fair
8	 Q. And is it your testimony that no work 	8	to say that?
9	has begun on that contract yet?	9	A. Yes.
10	A. Yes, work has been.	10	Q. So under the Oconto Falls executed
11	Q. Some work has begun?	11	contract, has Spirit Construction engaged Ron
12	A. Yes.	12	Van Den Heuvel to perform any work?
13	 Q. And is it your testimony that TPTC and 	13	A. No.
14	PCDI have not been engaged as subcontractors	14	Q. Do you have any plans to engage Ron Van
15	under that contract?	15	
16	A. At this moment, no.	16	De Heuvel to perform any work? A. No.
17	Q. Is there any plans to engage them as	17	Q. Now, you also testified that there's
18	subcontractors?	18	another contract out there - of the four
19	A. We need to get to the rest of contract	19	contracts that you mentioned in your March 2007
20	and there may be the things down the road.	20	acknowledgment, we've talked now about an Oconto
21	Q. When you say "get to the rest of	21	Falls executed contract which we haven't seen.
	contract," do you mean redrafting the contract	22	We don't have it here today.
22	ACTION AND ACTION ACTION AND ACTION A		
23	or progress along the way?	23	There's another contract I thought you
	or progress along the way? A. I'm sorry. Close-out documents.	23 24	There's another contract I thought you said that was in full force and effect and that

1	executed, did you?	1	been calling a funding contract for De Pere.
2	A. I had no contact with IFC.	2	Wisconsin.
3	Q. But you gave them a letter in which you	3	Is this the contract that you're
4	represented that these contracts were in full	4	referring to?
5	force and effect.	5	A. Yes.
6	Do you understand how that might	6	100 - 100 -
7	confuse IFC and they might believe these are	7	Q. And has this contract been signed?
В	actual what you call executed contracts?	8	A. Yes.
9	MR. CYRANOSKI: I'm going to object to	9	Q. Has an executed version of this
10	lack of foundation. I'm also going to object	2000	contract been signed?
111	that these call for legal conclusions.	10	A. It is in the funding phase right now.
12	BY MR. UNDERHILL:	11	Q. When you say it's "in the funding
13	Q. Can you answer my question?	12	phase,* what does that mean?
14	A. My knowledge to me was that IFC knew	13	A. To the best of my knowledge, we've been
15	that these were not funded projects at that	14	working with Bardays and they have all of the
16	time.	15	information they need to go for funding.
17	Q. And where did you obtain that	16	Q. Now, you thought the earlier contracts
18	understanding from?	17	were between ST Paper, LLC. This one says ST
19	A. Conversations with Ron.	18	Paper, II.
20		19	Is this a different entity?
21	Q. And what did he tell you, if you can recall?	20	Not to my knowledge.
22	A. I cannot recall.	21	 If you know, who was the managing
23		22	partner of ST Paper, It or who is running the
24	Q. Did you make any notes of those conversations?	23	show at ST Paper II?
27	A35/13/12/4/2017/15/4666-7-45/14-4-2-4-4	24	A. Sharad Tak.
	105	<u> </u>	107
1	A. No.	1	O Shornd Tak2
1 2		1 2	Q. Sharad Tak?
1	A. No. Q. Was anyone else present during those conversations?	2	A. Yes.
2	Q. Was anyone else present during those conversations?	2 3	A. Yes. Q. That's the same guy you talked about
2	Q. Was anyone else present during those	2 3 4	A. Yes. Q. That's the same guy you talked about earlier?
2 3 4	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave.	2 3	A. Yes. Q. That's the same guy you talked about earlier? A. Yes.
2 3 4 5	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or	2 3 4 5	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his
2 3 4 5 6	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they	2 3 4 5 6 7	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials?
2 3 4 5 6 7	 Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? 	2 3 4 5 6 7 8	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so.
2 3 4 5 6 7 8	 Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. 	2 3 4 5 6 7	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in
2 3 4 5 6 7 8 9	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7.	2 3 4 5 6 7 8 9	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays?
2 3 4 5 6 7 8 9	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit	2 3 4 5 6 7 8 9 10	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No.
2 3 4 5 6 7 8 9 10	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's	2 3 4 5 6 7 8 9 10 11	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with
2 3 4 5 6 7 8 9 10 11 12	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for	2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit?
2 3 4 5 6 7 8 9 10 11 12 13	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.)	2 3 4 5 6 7 8 9 10 11	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At
2 3 4 5 6 7 8 9 10 11 12 13	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL:	2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to
2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked	2 3 4 5 6 7 8 9 10 11 12 13 14	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked as Exhibit 7, Plaintiff's Exhibit 7, and for purposes of the record, it's a document titled	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST Paper and one of their consulting firms,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked as Exhibit 7, Plaintiff's Exhibit 7, and for	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST Paper and one of their consulting firms, Barclays' consulting firms.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked as Exhibit 7, Plaintiff's Exhibit 7, and for purposes of the record, it's a document titled ST Paper II, LLC and Spirit Construction and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST Paper and one of their consulting firms, Barclays' consulting firms. Q. What is the name of the consulting
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked as Exhibit 7, Plaintiff's Exhibit 7, and for purposes of the record, it's a document titled ST Paper II, LLC and Spirit Construction and then it's titled EPC and it seems to be for the amount of \$329 million.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST Paper and one of their consulting firms, Barclays' consulting firms. Q. What is the name of the consulting firm?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked as Exhibit 7, Plaintiff's Exhibit 7, and for purposes of the record, it's a document titled ST Paper II, LLC and Spirit Construction and then it's titled EPC and it seems to be for the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST Paper and one of their consulting firms. Q. What is the name of the consulting firm? A. R.W. Beck.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked as Exhibit 7, Plaintiff's Exhibit 7, and for purposes of the record, it's a document titled ST Paper II, LLC and Spirit Construction and then it's titled EPC and it seems to be for the amount of \$329 million. A. Oh, I misspoke before. It was 329. I kept saying 239. It was 329.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST Paper and one of their consulting firms, Barclays' consulting firms. Q. What is the name of the consulting firm? A. R.W. Beck. Q. R.W. Beck, B-e-c-k?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked as Exhibit 7, Plaintiff's Exhibit 7, and for purposes of the record, it's a document titled ST Paper II, LLC and Spirit Construction and then it's titled EPC and it seems to be for the amount of \$329 million. A. Oh, I misspoke before. It was 329. I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST Paper and one of their consulting firms, Barclays' consulting firms. Q. What is the name of the consulting firm? A. R.W. Beck. Q. R.W. Beck, B-e-c-k? A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. Was anyone else present during those conversations? A. One of my brothers were, either Tim or Dave. Q. Where are Tim and Dave? Where do they reside? A. De Pere, Wisconsin. MR. UNDERHILL: Mark this as Exhibit No. 7. (Whereupon, Plaintiff's Exhibit No. 7 was marked for identification.) BY MR. UNDERHILL: Q. Steve, I show you what has been marked as Exhibit 7, Plaintiff's Exhibit 7, and for purposes of the record, it's a document titled ST Paper II, LLC and Spirit Construction and then it's titled EPC and it seems to be for the amount of \$329 million. A. Oh, I misspoke before, It was 329. I kept saying 239. It was 329. Q. And it's dated March 6, 2008. You've	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. That's the same guy you talked about earlier? A. Yes. Q. Does the ST Paper come from his initials? A. I believe so. Q. When you say Barclays, are you in communication with anybody from Barclays? A. No. Q. Who are you in communication with with respect to this contract outside of Spirit? A. At this time I'm not in contact. At that time, yes, I have talked to — to get to this point, we were talking with Barclays and ST Paper and one of their consulting firms, Barclays' consulting firms. Q. What is the name of the consulting firm? A. R.W. Beck. Q. R.W. Beck, B-e-c-k?

27 (Pages 105 to 108)

1	A. No.	1	STATE OF ILLINOIS)
2	Q. Has Spirit Construction paid any monies	2) SS:
3		3	COUNTY OF COOK)
4	connection with any of the four EPC contracts	,	· ·
5	that you mentioned in your letter to IFC?	5	I. Janice A. Prystalski, a notary public
6	A. No.	6	within and for the County of Cook County and
7	Q. Has Spirit Construction engaged TPTC or		State of Illinois, do hereby certify that
8	PCDI as subcontractors on any of those four	7	heretofore, to-wit, on the 9th day of April,
9	projects that you described in your letter since	8	2008, personally appeared before me, at
10	January of 2007?	9	203 North LaSalle Street, Suite 2500, Chicago,
11	A. No.	10	Illinois, STEVEN R. VAN DEN HEUVEL, in a cause
12	AC	111	now pending and undetermined in the United
13	Q. Has Spirit Construction engaged Ron Van	12	States District Court, for the Northern District
14	Den Heuvel personally as a consultant or in any	13	of Illinois, Eastern Division wherein IFC CREDIT
15	capacity on any of those four projects that you	14	CORPORATION, an Illinois corporation is the
	described in your letter to IFC?	15	Plaintiff, and TISSUE PRODUCTS TECHNOLOGY
16	A. No.	16	CORPORATION, a Wisconsin corporation; ECO-FIBRE,
17	MR, UNDERHILL: I have no further	17	INC., a Wisconsin Corporation; PARTNERS CONCEPTS
18	questions at this time.	18	DEVELOPMENT, INC., a Wisconsin Corporation;
19	MR. CYRANOSKI: If the deposition is	19	OCONTO FALLS TISSUE, INC., a Wisconsin
20	over, you can explain signature.	20	corporation, RONALD H. VAN DEN HEUVEL, an
21	FURTHER DEPONENT SAITH NOT.	21	individual, and SPIRIT CONSTRUCTION SERVICES,
22		22	INC., a Delaware Corporation are the Defendants.
23		23	I further certify that the said witness was
24		24	first duly swom to testify the truth, the whole
	141		143
1	IN THE UNITED STATES DISTRICT COURT	30-10-10-10-10-10-10-10-10-10-10-10-10-10	
1 2	IN THE UNITED STATES DISTRICT COURT	1	truth and nothing but the truth in the cause
	FOR THE NORTHERN DISTRICT OF ILLINOIS	2	truth and nothing but the truth in the cause aforesaid; that the lestimony then given by said
2	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION	2 3	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in
2	FOR THE NORTHERN DISTRICT OF ILLINOIS	2 3 4	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards
2 3 4	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an)	2 3 4 5	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided
2 3 4 5 6 7	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) vs.) No. 07 L 4351	2 3 4 5 6	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and
2 3 4 5 6 7 8	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) Vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY)	2 3 4 5 6	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by
2 3 4 5 6 7 8 9	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) Vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin)	2 3 4 5 6 7 8	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid.
2 3 4 5 6 7 8 9	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintift,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,)	2 3 4 5 6 7 8	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid.
2 3 4 5 6 7 8 9 10	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) Vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.)	2 3 4 5 6 7 8	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. If further certify that the signature to the foregoing deposition was reserved by counsel for
2 3 4 5 6 7 8 9 10 11	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintift,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the	2 3 4 5 6 7 8 9	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. If further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties.
2 3 4 5 6 7 8 9 10 11 12	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintift,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the	2 3 4 5 6 7 8 9	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. If further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties.
2 3 4 5 6 7 8 9 10 11 12 13	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintift,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski,	2 3 4 5 6 7 8 9 10 11	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. I further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that
2 3 4 5 6 7 8 9 10 11 12	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintift,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008,	2 3 4 5 6 7 8 9 10 11 12	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. If further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the
2 3 4 5 6 7 8 9 10 11 12 13 14	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately	2 3 4 5 6 7 8 9 10 11 12 13	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. If further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintift,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008,	2 3 4 5 6 7 8 9 10 11 12 13 14	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. If further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. I further certify that I am not counsel for
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately states the questions asked and the answers given	2 3 4 5 6 7 8 9 10 11 12 13 14 15	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. If further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. If further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. If further certify that I am not counsel for nor in any way related to the parties to this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately states the questions asked and the answers given	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. If further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. I further certify that I am not counsel for
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) Vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately states the questions asked and the answers given by me as they now appear.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. I further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. I further certify that I am not counsel for nor in any way related to the parties to this suit, nor am I in any way interested in the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) Vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately states the questions asked and the answers given by me as they now appear. STEVEN R. VAN DEN HEUVEL	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. I further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. I further certify that I am not counsel for nor in any way related to the parties to this suit, nor am I in any way interested in the outcome thereof. IN TESTIMONY WHEREOF: I have hereunto set my hand and affixed my notarial seal this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) Vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately states the questions asked and the answers given by me as they now appear. STEVEN R. VAN DEN HEUVEL SUBSCRIBED AND SWORN TO before me this day	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. I further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. I further certify that I am not counsel for nor in any way related to the parties to this suit, nor am I in any way interested in the outcome thereof. IN TESTIMONY WHEREOF: I have hereunto set my
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) Vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately states the questions asked and the answers given by me as they now appear. STEVEN R. VAN DEN HEUVEL	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. I further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. I further certify that I am not counsel for nor in any way related to the parties to this suit, nor am I in any way interested in the outcome thereof. IN TESTIMONY WHEREOF: I have hereunto set my hand and affixed my notarial seal this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) VS.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately states the questions asked and the answers given by me as they now appear. STEVEN R. VAN DEN HEUVEL SUBSCRIBED AND SWORN TO before me this day of 2008.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. I further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. I further certify that I am not counsel for nor in any way related to the parties to this suit, nor am I in any way interested in the outcome thereof. IN TESTIMONY WHEREOF: I have hereunto set my hand and affixed my notarial seal this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION IFC CREDIT CORPORATION, an) Illinois corporation,) Plaintiff,) Vs.) No. 07 L 4351 TISSUE PRODUCTS TECHNOLOGY) CORPORATION, a Wisconsin) corporation, et al.,) Defendants.) This is to certify that I have read the transcript of my deposition taken in the above-entitled cause by Janice A. Prystalski, Certified Shorthand Reporter, on April 8, 2008, and that the foregoing transcript accurately states the questions asked and the answers given by me as they now appear. STEVEN R. VAN DEN HEUVEL SUBSCRIBED AND SWORN TO before me this day	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid. I further certify that the signature to the foregoing deposition was reserved by counsel for the respective parties. I further certify that the taking of this deposition was pursuant to Notice, and that there were present at the deposition the attorneys hereinbefore mentioned. I further certify that I am not counsel for nor in any way related to the parties to this suit, nor am I in any way interested in the outcome thereof. IN TESTIMONY WHEREOF: I have hereunto set my hand and affixed my notarial seal this

36 (Pages 141 to 144)