

**SOAH DOCKET NO. 582-08-2178
TCEQ DOCKET NO. 2007-1774-MSW**

APPLICATION OF BFI WASTE	§	BEFORE THE STATE OFFICE
SYSTEMS OF NORTH AMERICA,	§	
INC., FOR A MAJOR AMENDMENT	§	OF
TO TYPE I MSW PERMIT NO.	§	
1447A	§	ADMINISTRATIVE HEARINGS

**TJFA, L.P.'s RESPONSES TO GILES HOLDINGS
REQUEST FOR PRODUCTION OF DOCUMENTS**

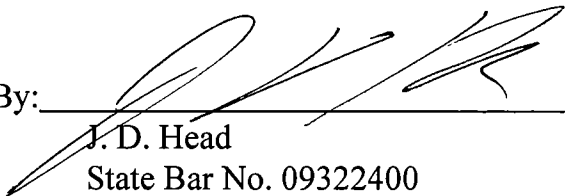
TO: Giles Holdings, L.P., by and through its attorneys, Mr. Paul M. Terrill III and Mr. Joshua D. Katz, The Terrill Firm, P.C., 810 W. 10th St., Austin, TX 78701

Pursuant to the Texas Rules of Civil Procedure and Texas Commission on Environmental Quality ("TCEQ") discovery rules, TJFA, L.P. ("TJFA") hereby serves its responses to Giles Holdings Request for Production of Documents.

Respectfully submitted,

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ATTORNEYS FOR TJFA, L.P.

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that a true and correct copy of the foregoing document has been served this 18th day of August, 2008, via e-mail, facsimile transmission or U.S. First Class mail, to the following:

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**BFI WASTE SYSTEMS OF NORTH AMERICA, INC. and
GILES HOLDINGS, L.P.**

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**NORTHEAST NEIGHBORS COALITION; MARK
MCAFEE; MELANIE MCAFEE; ROGER JOSEPH;
DELMER D. ROGERS; WILLIAMS, LTD.; and PIONEER
FARMS**

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

1. TJFA objects to Instruction No. 3. The Texas Rules of Civil Procedure do not require identification of all persons who provided information for the answer to each request for information at the conclusion of each response. Nor do the rules require identification of which witness will sponsor the answer at trial.
2. TJFA objects to Definition No. 1, "Affiliate." Texas Disposal Services, Inc. and Texas Disposal Systems Landfill, Inc. are not parties to this proceeding.

OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION

1. Please produce all documents relating to the ownership, purchase, sale, lease, rental, resignation, or licensing of property located near any Texas landfill by TJFA.

RESPONSE: TJFA objects in that the request is overbroad, harassing and seeks documents not relevant nor reasonably calculated to lead to discovery of admissible evidence. TJFA further objects to the vagueness of the terms "resignation and licensing." Subject to and without waiving the foregoing objections, TJFA will produce documents relating to the ownership, purchase, sale, lease and rental of property located near the BFI Sunset Farms landfill by TJFA at the offices of Fritz, Byrne, Head & Harrison, PLLC, located at 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701 at a mutually agreeable time.

2. Please produce all appraisals done on the properties owned by TJFA.

RESPONSE: TJFA objects in that the request is not relevant nor reasonably calculated to lead to discovery of admissible evidence. Subject to and without waiving the foregoing objection, TJFA has no documents responsive to this request.

3. Please produce any and all documents regarding the value and character of properties owned by TJFA.

RESPONSE: TJFA objects to this request as overbroad, harassing and seeking documents not relevant nor reasonably calculated to lead to discovery of admissible evidence. Subject to and without waiving the foregoing objections, TJFA will produce documents

regarding the value and character of properties owned by TJFA near or adjacent to the BFI Sunset Farms landfill at the offices of Fritz, Byrne, Head & Harrison, PLLC, located at 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701 at a mutually agreeable time.

4. Please produce copies of any and all reports or opinions reduced to writing prepared by any expert witness who may be called to testify on behalf of TJFA.

RESPONSE: TJFA objects to this request as overbroad, harassing, an impermissible fishing expedition and seeking documents not relevant nor reasonably calculated to lead to the discovery of admissible evidence. TJFA further objects because the request has no limits on time, place or subject matter. Subject to and without waiving the foregoing objections, TJFA will produce responsive documents at the offices of Fritz, Byrne, Head & Harrison, PLLC, located at 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701 at a mutually agreeable time.

5. Please produce all documents relating to, concerning, or touching upon the relationship between TJFA, Texas Disposal Services, Inc. (“TDS”), Texas Disposal Systems Landfill, Inc. (“TDSL”), and any affiliates of TJFA, TDS and TDSL.

RESPONSE: TJFA objects to this request as overbroad, harassing, an impermissible fishing expedition and seeking documents not relevant nor reasonably calculated to lead to discovery of admissible evidence. TJFA further objects inasmuch as TDS and TDSL are not parties to this proceeding. Subject to and without waiving the foregoing objections, TJFA has no responsive documents.

6. Please produce all partnership agreements involving TJFA.

RESPONSE: TJFA will produce documents responsive to this request at the offices of Fritz, Byrne, Head & Harrison, PLLC, located at 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701 at a mutually agreeable time.

7. Please produce TJFA’s certificate of formation.

RESPONSE: TJFA will produce documents responsive to this request at the offices of Fritz, Byrne, Head & Harrison, PLLC, located at 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701 at a mutually agreeable time.

8. Please produce TJFA's mission statement.

RESPONSE: TJFA has no documents responsive to this request.

9. Please produce all bylaws of TJFA.

RESPONSE: TJFA has no documents responsive to this request.

10. Please produce all TJFA organizational documents showing or describing TJFA, and how TJFA is related to any entity owned or affiliated with TDS or Bob Gregory.

RESPONSE: TJFA objects to this request as overbroad, harassing, an impermissible fishing expedition and seeking documents not relevant nor reasonably calculated to lead to discovery of admissible evidence. TJFA further objects on the basis that TDS and Bob Gregory are not parties to these proceedings. Subject to and without waiving the foregoing objection, TJFA will produce organizational documents related to TJFA at the offices of Fritz, Byrne, Head & Harrison, PLLC, located at 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701 at a mutually agreeable time.

11. Please produce all minutes of TJFA meetings.

RESPONSE: TJFA has no documents responsive to this request.

12. Please produce all loan documents, title documents, and notes between TJFA and its lenders regarding any property purchased by TJFA.

RESPONSE: TJFA objects to this request as overbroad, harassing, an impermissible fishing expedition and seeking documents not relevant nor reasonably calculated to lead to discovery of admissible evidence. Subject to and without waiving the foregoing objections, TJFA will produce title documents related to TJFA's property at 5510 Blue Goose Road and 9900

Springdale Road at the offices of Fritz, Byrne, Head & Harrison, PLLC, located at 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701 at a mutually agreeable time.

13. Please produce all documents that contain or reflect any cost/benefit analyses, rate of return calculations, or the projected economic impact that you expect your challenge of the Sunset Farms application will have on the value of any property owned by TJFA.

RESPONSE: TJFA objects in that the request is not relevant nor reasonably calculated to lead to discovery of admissible evidence. Subject to and without waiving the foregoing objection, TJFA has no documents responsive to this request.