

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

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

**TJFA, L.P.'s RESPONSES TO GILES HOLDINGS  
FIRST SET OF INTERROGATORIES**

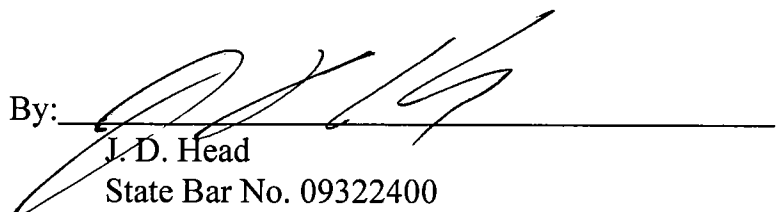
TO: Giles Holdings, L.P., by and through its attorneys, Mr. Paul M. Terrill III and Mr. Joshua D. Katz, The Terrill Firm, P.C., 810 W. 10<sup>th</sup> St., Austin, TX 78701

COMES NOW, TJFA, L.P. ("TJFA") and pursuant to Rules 190 - 198 of the TEX. R. CIV. P. and the Texas Commission on Environmental Quality ("TCEQ") discovery rules submits its responses to Giles Holdings First Set of Interrogatories. The filing of these responses is not to be construed as a waiver of any objections served contemporaneously herewith nor a waiver of any legal privileges claimed. To the extent that discovery is ongoing in this case, TJFA specifically reserves its rights to change or supplement any of its responses as recognized by the TEX. R. CIV. P. and relevant TCEQ and State Office of Administrative Hearings regulations.

Respectfully submitted,

FRITZ, BYRNE, HEAD & HARRISON, PLLC  
98 San Jacinto Blvd., Suite 2000  
Austin, TX 78701  
TEL: 512/476-2020  
FAX: 512/477-5267

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "J.D. Head", is written over a horizontal line. The signature is stylized and cursive.

J. D. Head  
State Bar No. 09322400

Bob Renbarger  
State Bar No. 16768100

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 18<sup>th</sup> 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 INTERROGATORIES

1. Identify all directors, officers, general partners, limited partners, and employees of TJFA.

RESPONSE: Dennis Hobbs  
P.O. Box 17126  
Austin, TX 78760-7126  
TEL: 512/421-1320

Mr. Hobbs is the sole director of Garra de Aguila, Inc. Dennis Hobbs is the president, vice president and secretary of Garra de Aguila, Inc.

Bob Gregory  
P.O. Box 17126  
Austin, TX 78760-7126  
TEL: 512/421-1300

Bob Gregory is the limited partner of TJFA.

Garra de Aguila, Inc. is the general partner of TJFA.

TJFA has no employees.

2. Identify (by name, title, address and phone number) all persons who participated in answering these interrogatories or who provided any documents responsive to the requests for production.

RESPONSE:

J. D. Head  
Fritz, Byrne, Head & Harrison, PLLC  
98 San Jacinto Blvd., Suite 2000  
Austin, TX 78701  
TEL: 512/476-2020

Attorney for TJFA.

Bob Renbarger  
Fritz, Byrne, Head & Harrison, PLLC  
98 San Jacinto Blvd., Suite 2000  
Austin, TX 78701  
TEL: 512/476-2020

Attorney for TJFA

Dennis Hobbs  
P.O. Box 17126  
Austin, TX 78760-7126  
TEL: 512/421-1320

President of Garra de Aguila, Inc.

3. Identify all including common employees, officers, directors, general and limited partners, between TJFA and Texas Disposal Services, Inc. ("TDS") and any of TDS' affiliate companies.

RESPONSE:

TJFA objects to any inquiry into TDS and any of TDS' affiliate companies inasmuch as TDS is not a party to this proceeding. TJFA further objects to this interrogatory on the basis that the information sought is not relevant nor reasonably calculated to lead to the discovery of admissible evidence.

4. Identify all sources of income and funding received by TJFA.

RESPONSE:

TJFA objects to this interrogatory on the basis that the information sought is not relevant nor reasonably calculated to lead to the discovery of admissible evidence.

5. State, including the amount and source, all salary received by employees, officers, directors, and general and limited partners of TJFA for the past five years.

RESPONSE: TJFA objects to this interrogatory on the basis that the information sought is not relevant nor reasonably calculated to lead to the discovery of admissible evidence.

6. State the name, address, and telephone number of any person who is expected to be called to testify in this proceeding.

RESPONSE: This interrogatory is premature because it requests information that will not be known until after additional discovery is completed. This interrogatory will be supplemented by the filing of pre-filed expert testimony in accordance with Order No. 1. Subject to and without waiving the foregoing objection, TJFA has no information in response to this interrogatory at this time.

7. Identify all property owned or leased by TJFA, including its location (by street address, city, county, and deed information such as the volume and page number of the deed in official county records, or property ID number), date of purchase, total acreage, present usage of the tract, and purchase price paid for each property.

RESPONSE: TJFA objects to this interrogatory on the basis that the information sought is not relevant nor reasonably calculated to lead to the discovery admissible evidence. Only property owned by TJFA located near the BFI Sunset Farms landfill is relevant to these proceedings. Subject to and without waiving the foregoing objection, TJFA answers as follows: TJFA owns property at 5510 Blue Goose Road, Austin, Travis County, Texas. The deed volume and page number are Volume 11378, Page 166. The purchase date was November 19, 2004. The purchase amount was \$129,864.70. The total acreage is 11.27 acres. The property is used for grazing and the current lessee is Cecil Remmert. TJFA also owns property at 9900 Springdale Road, Austin, Travis County, Texas. The deed volume and page are Volume 820, Page 619. This property was purchased December 13, 2004 for an amount of \$133,628.36. The property comprises 5.67 acres and is for residential use. The lessee is Jeff Young.

8. Identify all profits made from the sale or lease of properties owned by TJFA.

RESPONSE: TJFA objects to this interrogatory on the basis that the information sought is not relevant nor reasonably calculated to lead to the discovery of admissible evidence.

9. Identify any city, county, or state officials with whom TJFA, its partners, directors, or employees have privately met to discuss the Sunset Farms application, and the time and place of each meeting.

RESPONSE: TJFA objects on the basis that this interrogatory seeks information not relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, TJFA answers as follows: No partners, directors or employees of TJFA have met on behalf of TJFA with any city, county or state officials to discuss the Sunset Farms application.

10. Identify all deficiencies in or ways in which TJFA believes the Sunset Farms application does not comply with TCEQ rules, regulations, and/or guidelines.

RESPONSE: This interrogatory is premature because it requests information that will not be known until after additional discovery is completed. This interrogatory will be supplemented by the filing of pre-filed expert testimony in accordance with Order No. 1. Subject to and without waiving the foregoing objection, TJFA has no information in response to this interrogatory at this time.

11. State the amount, in dollars, that TJFA has spent in contesting landfill permit applications, including attorney and expert fees.

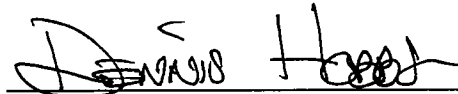
RESPONSE: TJFA objects to this interrogatory on the basis that the information sought is not relevant nor reasonably calculated to lead to the discovery of admissible evidence.



**VERIFICATION**

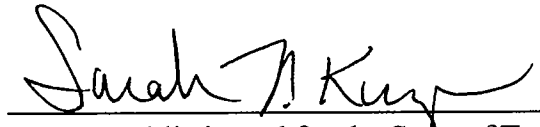
STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

BEFORE ME, the undersigned authority in and for said county and state, personally appeared Dennis Hobbs, as the duly authorized representative of TJFA, L.P., who is known to me, to be the person whose name is subscribed below, who, after being duly sworn by me, upon oath deposed and stated that he has read the above and foregoing Responses to Giles Holdings First Set of Interrogatories, and that all information and statements contained herein are within his own personal knowledge or are derived from TJFA, L.P.'s business records or other reliable sources and are true and correct.

  
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Dennis Hobbs

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this 18<sup>th</sup> day of August, 2008.

  
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Notary Public in and for the State of Texas

