

STATE OF INDIANA)
)
COUNTY OF MONROE) IN THE MONROE CIRCUIT COURT
) CAUSE NO. 53C06-2203-PL-509

COUNTY RESIDENTS AGAINST ANNEXATION, INC.,
an Indiana not for profit corporation,
Representative of Those in the Territories Sought to be
Annexed; DON CREEK, HARRY FERRIS,
WILLIAM MANWARING, DAN DOYLE, CATHERINE
DENSFORD, ETHEL ANN SATLER,
MARILYN J. DANIELSON, DEAN E. HOKE, BERT F.
PHILLIPS, SUNNY SLATER, HOLLY HILL, DEBORAH
REED for REED QUARRIES, INC., THOMAS W. McGHIE,
RICKY FERGUSON, THOMAS E. OSBORN, JIMMIE JOHNSON,
RICHARD PEACH, KAREN LAUCELLA, BARBARA
LEININGER, RHONDA GRAY,
ARLLYS PAPKE, JOANNA HAHN; and OTHER TERRITORY
1A AND 1B OWNERS OF LAND,
 Petitioners,

vs.

THE COMMON COUNCIL of the City of Bloomington,
Monroe County, Indiana,
CITY OF BLOOMINGTON, Monroe County, Indiana,
JOHN HAMILTON in his official capacity as
Mayor of Bloomington, Monroe County, Indiana, and
CATHERINE SMITH in her official capacity as Auditor
of Monroe County, Indiana,
 Respondents.

PETITIONER’S FIRST FINAL WITNESS AND EXHIBIT LIST

COME NOW the Petitioners, by counsel, William J. Beggs, and respectfully submit their First Final Witness and Exhibit List. The Petitioners reserve the right to amend this list with reasonable notice to the Defendants to include additional witnesses and/or exhibits. At the time of the filing of this First Final Witness and Exhibit List, the Petitioners and Defendants have not met to discuss any stipulations for the trial. Stipulations have not been reached but presumably will be reached which may result in revisions to these lists. Petitioners reserve the right to amend and revise these lists dependent upon the witnesses the City intends to call at trial and the exhibits the City intends to introduce at trial.

Witnesses

1. Margaret Clements
2. Susan Sandberg
3. Andy Ruff
4. Dave Rollo
5. Paul Post
6. Catherine Densford
7. Ethel Ann Satler
8. John Baeten
9. Kerry Thomson
10. Rita Barrow
11. John Byers
12. Richard Peach
13. Don Creek
14. William Manwaring
15. Dan Doyle
16. Charles Dobbs
17. Jeff Ellington
18. Catherine Smith
19. Marilyn J. Danielson
20. Dean E. Hoke
21. Bert F. Phillips
22. Sunny Slater
23. Holly Hill
24. Harry Ferris
25. Penny Githens
26. Rhonda Gray
27. Barbara Leininger
28. Arllys Papke
29. Joanna Hahn
30. Thomas W. McGhie
31. Cheryl Munson
32. Ricky Ferguson
33. Thomas E. Osborn
34. Richard Nisbet
35. Megan Parmenter
36. Deborah Reed
37. Lee Rhyne
38. Cheryl Sciscoe
39. Judy Sharp
40. Julie Thomas
41. Rachel Combs
42. Dustin Dillard

43. Amy Zehner
44. Andrew Simpson
45. Ed Koch
46. Mable Smith
47. Rick Matlock
48. Mary Jo Day
49. Karen Apple
50. Mike Diekhoff
51. Bradley Rushton
52. Jordan Canada
53. Karen Laucella
54. John Langley
55. Rex Kirts
56. Maurice “Dwayne” Moore
57. Ruth Clemons
58. Meghan Blair

Exhibits

1. Deposition of John Hamilton and exhibits thereto
2. Deposition of Kerry Thomson and exhibits thereto
3. Deposition of Mike Diekhoff and exhibits thereto
4. Deposition of Jeff Underwood and exhibits thereto
5. Deposition of Vic Kelson and exhibits thereto
6. Deposition Exhibits 1 through 85
7. Remonstrance Petitions for Area 1A
8. Remonstrance Petitions for Area 1B
9. Certifications of Remonstrance Results by Monroe County Auditor
10. Plats for residential subdivisions located within Proposed Annexation Area 1A
11. Plats for residential subdivisions located within Proposed Annexation Area 1B
12. Maps of County and townships
13. Maps of Proposed Annexation Area 1A
14. Maps of Proposed Annexation Area 1B
15. Maps of Fire Districts
16. Maps of Bloomington Police Districts
17. August 11, 2021 Letter in Opposition to Annexation from Monroe County Commissioners
18. In Lieu of Annexation Agreement with Cook, Inc. and related entities
19. Evidence of Payments from Cook, Inc. to City of Bloomington in Lieu of Annexation
20. Cook, Inc. In Lieu of Annexation Payment Spreadsheet
21. Ordinance 17-39
22. 2020 Novak Report
23. Ex. 3 of the Judy Sharp Deposition
24. Ex. 4 of the Judy Sharp Deposition

25. Ex. 52 of the Julie Thomas Deposition
26. Ex. 52 of the Lee Rhye Deposition
27. Ex. 53 of the Charles Dobbs Deposition
28. Ex. 55 of the Paul Post Deposition
29. Ex. 56 of the Kerry Thompson Deposition
30. Ex. 62 of the Rita Barrow Deposition
31. Ex. 63 of Rita Barrow Deposition
32. Ex. 67 to Rita Barrow Deposition
33. Ex. 70 of the Mike Diekhoff Deposition
34. Ex. 71 of the Mike Diekhoff Deposition
35. Ex. 72 of the Mike Diekhoff Deposition
36. Ex. 74 of the Dustin Dillard Deposition
37. Ex. 75 of the Dustin Dillard Deposition
38. Ex. 76 of the Meghan Blair Deposition
39. Ex, 77 of the Meghan Blair Deposition
40. Ex. 78 of the Meghan Blair Deposition
41. Ex. 79 of the Meghan Blair Deposition
42. Correspondence from Susan Sandberg to Jim Sims dated September 20, 2019
43. Correspondence from Susan Sandberg to Allison Chopra dated August 1, 2017
44. Susan Sandberg draft comments attached to Correspondence from Susan Sandberg to Allison Chopra dated August 1, 2017
45. Correspondence from Holly McLauchlin to Boris Ladwig dated August 4, 2021
46. City's Responses to Interrogatories
47. City's Responses to Requests for Production
48. Failed Mailings Spreadsheet
49. Tascus Corporation Tax Analysis
50. City of Bloomington Utilities Application Request for New Water/Sewer Connection (single family)
51. City of Bloomington Utilities Application Request for New Water/Sewer Connection (commercial)
52. City of Bloomington Utilities Commercial Customer Contract
53. Documents publicly available on the City of Bloomington Utilities Website
54. Ex. 4 to Vic Kelson deposition
55. Ex. 5 to Vic Kelson deposition
56. Ex. 7 to Vic Kelson deposition (CBU Rules, Regulations, and Standards of Service)
57. City of Bloomington Utilities Estimated Water Sewer & Tap Fees
58. Meeting Minutes from Common Council Special Session on August 4, 2021
59. Meeting Minutes from Common Council Special Session on August 11, 2021
60. Social Vulnerability Index Data for Area 1A
61. Social Vulnerability Index Data for Area 1B
62. Correspondence between Brittani Evans and Michael Diekhoff Re: Annexation – Department Head Summary
63. Annexation 2021 Public Comments Sent to Council Office

64. Correspondence from Jeffrey Rodgers Re Bloomington PD Staffing Status as of 10/14/21
65. May 24, 2017 Press Release Re City Files Lawsuit Challenging Constitutionality of State
Legislation

Respectfully submitted,

/s/ William J. Beggs

William J. Beggs, #16644-49

BUNGER & ROBERTSON

CERTIFICATE OF SERVICE

I certify that on April 5, 2024, I electronically filed the foregoing document using the Indiana E-filing System (IEFS) and that the foregoing document was served upon all counsel of record via the same.

/s/ William J. Beggs

William J. Beggs, #16644-49

BUNGER & ROBERTSON
211 South College Avenue
Post Office Box 910
Bloomington, IN 47402-0910
812-332-9295