

1 STATE OF INDIANA)
) SS:
2 COUNTY OF MONROE)
3

4 IN THE CIRCUIT COURT OF MONROE COUNTY

5 CAUSE NO. 53C06-2203-PL-000509

6 COUNTY RESIDENTS AGAINST ANNEXATION,)
INC., an Indiana not for profit)
7 corporation, et al.,)

8 Remonstrators/Appellants/Petitioners,)

9 -vs-)

10 THE COMMON COUNCIL of the City of)
Bloomington, Monroe County, Indiana,)
11 et al.,)

12 Respondents.)
13

14 DEPOSITION OF RACHEL COMBS
15

16 The deposition upon oral examination of
17 RACHEL COMBS, a witness produced and sworn before
me, Janine A. Ferren, RMR, CRR, CSR-IL No. 84-4852,
18 Notary Public in and for the County of Hamilton,
State of Indiana, taken on behalf of the
19 Respondents, at the offices of Bloomington City
Hall, 401 North Morton Street, Bloomington, Monroe
20 County, Indiana, on the 1st day of March 2024,
scheduled to commence at 9:45 a.m., pursuant to the
21 Indiana Rules of Trial Procedure with written
notice as to time and place thereof.
22
23
24
25

Page 2

1 APPEARANCES

2 FOR THE REMONSTRATORS/APPELLANTS/PETITIONERS:

3 William J. Beggs

4 BUNGER & ROBERTSON

5 211 South College Avenue

6 Bloomington, IN 47404

7 812.332.9295

8 wjbeggs@lawbr.com

9

10 FOR THE RESPONDENTS:

11 Andrew M. McNeil

12 Stephen C. Unger

13 BOSE McKINNEY & EVANS LLP

14 111 Monument Circle

15 Suite 2700

16 Indianapolis, IN 46204

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18 amcneil@boselaw.com

19 sunger@boselaw.com

20

21 ALSO PRESENT:

22 Margaret Clements

23 David Combs

24

25

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1 INDEX OF EXHIBITS

2 Previously Marked Exhibits: Page

3 Exhibit 28 - Amended and Supplemented 22

4 Answers of County Residents

5 Against Annexation, Inc. to

6 City of Bloomington's

7 Interrogatories

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1 INDEX OF EXAMINATION

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5 CROSS-EXAMINATION 27

6 Questions by William J. Beggs

7 REDIRECT EXAMINATION 28

8 Questions by Andrew M. McNeil

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Page 5

1 (Time noted: 9:34 a.m.)

2 RACHEL COMBS,

3 having been duly sworn to tell the truth, the whole

4 truth, and nothing but the truth relating to said

5 matter, was examined and testified as follows:

6

7 DIRECT EXAMINATION,

8 QUESTIONS BY ANDREW M. McNEIL:

9 Q Good morning.

10 A Good morning.

11 Q Would you please state your name for the record?

12 A Rachel Combs.

13 Q Ms. Combs, my name is Andrew McNeil. I'm one of

14 the attorneys for the City of Bloomington in the

15 annexation remonstrance case that's pending.

16 A Yes.

17 Q Have you ever provided deposition testimony

18 before?

19 A Not here, but yes, I have.

20 Q Some other -- when you say "not here," what do

21 you mean?

22 A Years ago.

23 Q How long --

24 A Thirty-five years ago, maybe.

25 Q Okay. Well, the process is still the same; the

Page 6

1 technology has changed. I'm going to ask you a
2 series of questions today. Do you understand
3 that it's your responsibility to answer them as
4 completely and as truthfully as you can?
5 A Yes.
6 Q If you don't understand my question, will you
7 let me know?
8 A Yes, I will.
9 Q If I need to rephrase something or if I need to
10 speak up, will you let me know that too?
11 A I will.
12 Q These will be pretty short and to the point, but
13 if for any reason you need to take a break, will
14 you let me know that?
15 A Yes.
16 Q And your husband is present with us in the
17 deposition room today?
18 A Yes.
19 Q Did you do anything to prepare for the
20 deposition?
21 A No.
22 Q Did you make any notes in advance of coming
23 here --
24 A No.
25 Q -- about your testimony?

Page 7

1 What is your address?
2 A 520 South Fieldstone Boulevard, Bloomington,
3 Indiana 47403.
4 Q Is that in one of the --
5 A 1A.
6 Q 1A.
7 Just so my record is complete, I need to
8 finish my question.
9 Is that in one of the annexation areas?
10 A It is.
11 Q In which one?
12 A 1A.
13 Q It's a little formal, but just so we have a
14 clean record.
15 How long have you lived there?
16 A Six years.
17 Q Who lives there with you?
18 A My husband, David.
19 Q Do you own any other property in either
20 Annexation Area 1A or 1B?
21 A I do not.
22 Q Do you have any plans to move?
23 A Not at the moment.
24 Q Did you personally sign a petition, a
25 remonstrance petition opposing the annexation?

Page 8

1 A I did.
2 Q When you signed that petition, did you
3 understand that you were formally expressing
4 your opposition to the annexation taking place?
5 A I did.
6 Q My next question is a broad one.
7 A Okay.
8 Q So I'm going to ask you a broad question, and
9 then we'll go back through some of the details.
10 But I want you to please explain all of the
11 reasons why you oppose the annexation by the
12 City of Bloomington.
13 A The main reason is money. We are on a fixed
14 income. I do work part time, but when and if I
15 quit doing that, with the increase in our taxes
16 that's going to happen, it's going to be a
17 hardship on us. I would hope that we would be
18 able to pay for the taxes every year. I don't
19 know how high they might go. I know when this
20 all started, it was going to be at least \$800
21 more on the year.
22 That being said, our taxes have went up
23 every year because of assessments on land value.
24 It's going to be much more than that when we do
25 get annexed. So hopefully, we would like to

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1 have a little money that we might be able to
2 take a weekly trip once a year at least. And if
3 it takes everything we have to live, or if we
4 can't afford that, we will be forced to move.
5 And we are in a condo. And my husband's
6 not able to get out and mow and do that, so it's
7 where we need to be. It's one level.
8 And I do not believe we will get any extra
9 resources than what we have. We do have city
10 water. That being said, that was paid for up
11 front when it was first signed up for. And I do
12 know that we pay more for our water out there
13 than the people do in the city. So we do pay
14 extra for that service.
15 Q Okay. And we'll go back through some of these
16 things, but before we do that, are there any
17 other reasons why you oppose the annexation?
18 A One other thing I can't think about right now,
19 the County takes care of the road that comes
20 through our area, and they're there every time,
21 early of a morning, when we have snows. I do
22 not believe that would happen that quickly when
23 we get annexed.
24 Q Any other reasons that come to mind right now?
25 A Not right now.

<p style="text-align: right;">Page 10</p> <p>1 Q All right. So let's kind of work through some 2 of these issues that you've identified. 3 Do you have a mortgage on your property? 4 A I do. 5 Q So do you have an escrow fund that -- 6 A I do not. 7 Q So do you pay your taxes directly? 8 A I do. 9 Q For how many years have you been paying your 10 property taxes directly? 11 A Ever since I've owned the home. 12 Q Do you have the homestead exemption? 13 A I do. 14 Q Have you ever looked into whether you qualify 15 for the Over 65 Property Tax Circuit Breaker? 16 A We did. 17 Q You did look into it? 18 A Yes, we did. 19 Q What did you find out? 20 A Right now we'd do better with the homestead than 21 we'd do with that, because our income is too 22 much right now. 23 Q And you mentioned you work part time? 24 A Yes. 25 Q What do you do part time?</p>	<p style="text-align: right;">Page 12</p> <p>1 your property tax bill was, paid in 2023? 2 A I do not off the top of my head. I do know that 3 when we got our assessments last year, that they 4 had went up \$10,000. Granted, we didn't pay 5 that amount, but that's what we were taxed for. 6 Q Right. Does a tax payment of about \$800 every 7 six months for 2023 we, does that sound about 8 right? 9 A I really can't answer that because I don't know. 10 Q Okay. 11 A I'd have to pull out my papers. 12 Q But you handle the payment yourself? You write 13 the check -- 14 A Yes. 15 Q -- or do it online? 16 A Yes. 17 Q Do you know what the current assessed value of 18 your property is? 19 A It hasn't come out yet. I mean, I don't have it 20 on the top of my head. 21 Q Right. 22 A All I have is what was done for last year. 23 Q Do you remember what that number was? 24 THE WITNESS: Do you remember? 25 Q You're under oath.</p>
<p style="text-align: right;">Page 11</p> <p>1 A I work at the Van Buren Township Trustee office. 2 I'm accounts payable clerk. I work three days a 3 week. 4 Q How long have you done that? 5 A Since 2013. 6 Q At some point were you a full-time employee who 7 officially retired? 8 A I was. I worked at RCA for 34 years, and then I 9 worked at KeHE for a while, and then I worked at 10 Cook, and I retired from Cook in 2011, I think 11 it was. 12 Q And is your husband retired as well? 13 A Yes, full time. 14 Q Where did he retire from? 15 A Crane. 16 Q What year, approximately? 17 A I have no idea. We haven't been married that 18 long. 19 Q Oh, okay. 20 MR. COMBS: 1986. 21 Q So you mentioned that your property taxes have 22 increased due to assessed value changes from 23 year to year? 24 A Yes. 25 Q Sitting here right now, do you remember what</p>	<p style="text-align: right;">Page 13</p> <p>1 A Yeah, I don't remember. 2 Q And "I don't remember" is a totally acceptable 3 answer. 4 You mentioned on the city water, you said 5 that was paid for up front. Did you mean the 6 connection, running the lines to the condo was 7 paid for up front? 8 A Yes, yes. When the ground was purchased. 9 Q Right. Did you purchase the condo from someone 10 or did you develop it yourself? 11 A I purchased the condo from Chuck somebody. 12 Q Okay. So the condo was already there -- 13 A Yes. 14 Q -- you brought it from the previous owner? 15 A Yes. It was -- I bought it from a contractor. 16 Q Okay. Were you the first person to live there? 17 A Yes. 18 Q Got you. 19 When you said "we pay extra for water," do 20 you have an extra surcharge for sewer as well? 21 A We pay our water and sewage together. 22 Q Right. 23 A But our rates are higher than they are in the 24 city. 25 Q Right.</p>

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1 A And that's going to stay that way, it will not
 2 change.
 3 Q Wait. You're saying it's your understanding
 4 that if the annexation occurs, you will still
 5 pay more?
 6 A Yes.
 7 Q Do you have any understanding as to why that
 8 would be the case?
 9 A Because, according to the City, they had to run
 10 more lines out to where we live at, so we pay
 11 extra for that service.
 12 Q When you say "according to the City," is there
 13 someone in particular you're thinking --
 14 A I'm getting that information from the paper, of
 15 why we pay more on this side, west side of
 16 Bloomington, than what they pay in the city of
 17 Bloomington, downtown, even though -- because
 18 they have been hooked up longer than we have.
 19 So they have to put in new sewers and water
 20 lines now, so they got -- we are getting hit for
 21 another cost because the City needs money for
 22 that service to replace those lines. The city
 23 limits is paying less than what we are.
 24 Q Sure. Go ahead.
 25 A So to me, we're being penalized for that even

Page 15

1 though -- because they're saying we're not in
 2 the city limits.
 3 Q You mentioned that was in a paper. Was that a
 4 paper from the city utility office or from an
 5 annexation group?
 6 A No. That was from the Herald-Times.
 7 Q Oh, the newspaper?
 8 A Yes.
 9 Q Do you remember approximately when you saw that
 10 or read that?
 11 A Well, it's before our water bill started going
 12 up. Because, yes, the rates have changed. And
 13 I think, if I remember correctly, they're not --
 14 they didn't do it all at once. They're
 15 spreading it out like, one, two, maybe, three
 16 years.
 17 Q I want to make sure I understand what you're
 18 describing. There's an additional charge in
 19 your utility bills now because of this new
 20 infrastructure that they have to --
 21 A The rates increased, yes.
 22 Q Because of this infrastructure improvement?
 23 A Yes.
 24 Q Do you understand whether there is a surcharge
 25 specifically charged to you because you're an

Page 16

1 out-of-city-limit customer? Separate from the
 2 infrastructure, but just an extra surcharge
 3 because you're in the township?
 4 A Not that I'm aware of. The only thing I know on
 5 the water bill is, I know that we have this
 6 charge for the water and we have the charge for
 7 the sewer. I know there's a surcharge for water
 8 runoff or something, stormwater. I don't know.
 9 Q Sure.
 10 A But it's all combined into one.
 11 Q Okay.
 12 A But what I'm saying, the rates have increased,
 13 so that's per gallon.
 14 Q Okay. So is it your understanding, then, that
 15 even if your property is annexed, there will be
 16 no downward adjustment to any of the rates in
 17 your utilities?
 18 A I have not been made aware of that.
 19 Q Okay.
 20 A And I would have to see that before I would
 21 believe that, because I've never known that any
 22 charges go down anyplace.
 23 Q You mentioned that you thought or had seen that
 24 the increase of your property taxes would be
 25 about \$800 a year?

Page 17

1 A And that's when they first started with the
 2 annexation.
 3 Q What I wanted to understand is, where did you
 4 get that information?
 5 A That was from, I believe they had a company that
 6 come in and did some kind of an accounting
 7 process on it, and that's how that come about.
 8 Q Did you see the report from that accounting
 9 company or did someone tell you this
 10 information?
 11 A They showed it on -- we went to meetings and
 12 they showed it on a board-type thing.
 13 Q And was the \$800 increase specific to your
 14 property or was that sort of an average impact?
 15 A An average. And that was based on, I believe, a
 16 time frame of 2019.
 17 Q So there have been some fits and starts in this
 18 annexation process. It started in 2017, and
 19 then there was a legal challenge involving the
 20 state, then it started up again in 2021 in
 21 earnest.
 22 If you can think about when you went to the
 23 meeting where this report shows this tax impact,
 24 when is your best estimate of when that was?
 25 Was that like 2017, 2018, or was it more recent?

Page 18

1 A It was probably, I'm going to say maybe -- I
 2 don't remember for sure, but I'm going to say
 3 early 2021.
 4 Q Okay. So more recent --
 5 A Yes.
 6 Q -- in a relative timeline?
 7 A And I could be wrong on that, because I really
 8 don't remember the year.
 9 Q Where was the meeting? Was it at the county
 10 fairgrounds?
 11 A At the fairgrounds.
 12 Q Other than receiving that information at the
 13 meeting at the fairgrounds about the property
 14 tax impact, have you done anything else to try
 15 to analyze the impact on your property bill from
 16 the -- property tax bill from the annexation?
 17 A I have not.
 18 Q Are you familiar with the term or concept of an
 19 annexation fiscal plan?
 20 A I don't know that I've heard it that way, no.
 21 Q Have you heard something else about sort of an
 22 accounting or review of the --
 23 A Like I said, the only thing I'm aware of was the
 24 meeting where they had people from the City and
 25 the County that presented everything.

Page 19

1 Q Okay. Is that the fairgrounds meeting?
 2 A Yes.
 3 Q Did you go to any other meetings like that, or
 4 primarily --
 5 A Just that.
 6 MR. McNEIL: We're going to take a break,
 7 go off the record. Steve and I are going to go
 8 chat, and then we'll be right back.
 9 (A recess was taken between 9:51 a.m. and
 10 9:53 a.m.)
 11 MR. McNEIL: I have just a few more
 12 questions.
 13 BY MR. McNEIL:
 14 Q Ms. Combs, you said you have lived in your
 15 current residence for about the last six years.
 16 Where did you live before?
 17 A In Greene County.
 18 Q You mentioned you work as, I think you said,
 19 accounts payable clerk three days a week at the
 20 Van Buren Township Trustee's office?
 21 A Yes.
 22 Q Is that Rita Barrow?
 23 A It is.
 24 Q You've done that since approximately 2013?
 25 A Yes.

Page 20

1 Q During the time when you were at work in the
 2 township trustee's office, did you ever talk
 3 with Ms. Barrow or hear her talk about the
 4 annexation issues?
 5 A We definitely talked about it, because I live in
 6 the area where it was affecting me, but that was
 7 it.
 8 Q And I'm not going to ask you to repeat every
 9 conversation you ever had with her about
 10 annexation; I don't know that that would be
 11 possible. But just generally, what were some of
 12 the topics or issues that you would discuss with
 13 Ms. Barrow about the annexation?
 14 A The only thing I ever discussed with her was
 15 what I've discussed with you as far as money.
 16 That's my concern.
 17 Q Sure, okay. When you were at work at the
 18 trustee's office, did you ever see other
 19 landowners come in to talk about the annexation
 20 issues?
 21 A They would come and ask questions. And they
 22 brought in petitions that they had signed, and
 23 we did hold them there at the office.
 24 Q So people who were collecting signatures could
 25 drop them off at the trustee's office?

Page 21

1 A Yes.
 2 Q And then you said you held them there. Then
 3 what -- did you do anything with them?
 4 A No. We just filed them.
 5 Q Do you know where they went ultimately?
 6 A I think we still have them, maybe.
 7 Q Do you know if anybody took them to the
 8 auditor's office?
 9 A I know -- you mean the papers themselves?
 10 Q Yes.
 11 A I'm not -- I can't answer that because I really
 12 don't know.
 13 Q That's fine. And "I don't know" is a perfectly
 14 fine answer.
 15 When you were in the trustee's office, was
 16 there ever an occasion where you helped prepare
 17 a mailer that went out to --
 18 A No, no.
 19 Q Were you aware of the trustee's office working
 20 on a mailer that went out to --
 21 A I knew she did --
 22 Q -- that went out to landowners?
 23 A -- but I didn't have anything to do with it.
 24 Q Did you ever talk to her about it?
 25 A I knew she was doing it. She didn't have it at

Page 22

1 the office.

2 Q Was it something they contracted out --

3 A Yes.

4 Q -- to a service?

5 A Yes.

6 (Deposition Exhibit 28 previously marked

7 for identification.)

8 Q I do need you to look at this document here,

9 Exhibit 28. It's called the "Amended and

10 Supplemented Answers of County Residents Against

11 Annexation to City of Bloomington's

12 Interrogatories." I don't expect that you've

13 ever seen this before but you're mentioned in

14 it, so I just want to show that to you.

15 If you look at page 2, question 3, the

16 question is, "Identify each fact witness that

17 you plan to call to testify in this lawsuit and

18 provide a summary of their anticipated

19 testimony."

20 Now, again, this is County Residents

21 Against Annexation's answers, they're not your

22 answers.

23 A Uh-huh.

24 Q But if you turn to page 4, do you see where your

25 name is listed there?

Page 23

1 A Yes.

2 Q It says, "If called, Ms. Combs would be asked to

3 testify as a landowner about her opposition to

4 annexation, city services versus

5 otherwise-provided services, and the impact of

6 annexation upon her."

7 Do you see that?

8 A Yes.

9 Q Is there anything that you would add to what

10 you've already told us here in this deposition

11 that you would consider responsive to those

12 categories or your opposition to the annexation?

13 A Well, I think also, and it's not listed and we

14 haven't talked about it, but also they say they

15 would provide police protection for us. And I

16 think they're struggling now to have protection

17 cover the areas they have because they don't

18 have enough policemen. And annexing us, they

19 aren't going to be able to hire the number of

20 people they need to cover more territory.

21 Q And what is --

22 A Right now I do believe that probably the sheriff

23 is the one that takes care of our area.

24 Q What is your -- when you say you understand that

25 they're short-staffed and struggling now, what's

Page 24

1 that understanding based on?

2 A What we've read in the Herald-Times. And it's

3 not just that. You hear it on the news. It's

4 kind of ongoing every place, Indianapolis, all

5 locations around. It seems like everybody is

6 having the same issue.

7 Q Right. So you've heard other news stories of

8 law enforcement organizations --

9 A Yes.

10 Q -- struggling with staffing levels --

11 A Yes.

12 Q -- not just Bloomington?

13 A Yes.

14 Q Before offering that information about the

15 police just now, did you talk to anybody else

16 today about police protection?

17 A Margaret said something to me about it.

18 Q When?

19 A Outside.

20 Q During the break?

21 A Yes.

22 Q You understand you're still under oath?

23 A I do.

24 Q What did Margaret tell you?

25 A I might mention something about police coverage.

Page 25

1 Q And so before Ms. Clements prompted you to

2 mention something about police coverage, it

3 wasn't something you had thought --

4 A I probably wouldn't have said anything because I

5 haven't had any issues with needing police right

6 now.

7 Q Okay. So the police service, as far as you

8 know, you know what you've read in the paper,

9 but you have no personal experience or concerns?

10 A No, I don't have any personal experience with

11 that.

12 Q Okay.

13 A Hopefully I never have to.

14 Q Sure. You had mentioned, too, the county roads.

15 A Yes.

16 Q What's the road that you're referring to?

17 A Fieldstone.

18 Q So that's the main road outside of your

19 residence?

20 A Yes.

21 Q When was the last time there was a snow event

22 that required the County to plow the road?

23 A The last snow we've had this year.

24 Q So a couple of weeks ago?

25 A Yes.

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1 Q What do you understand would change if the
2 annexation happened with respect to road
3 maintenance?
4 A The County wouldn't be in charge of it. I think
5 the City would be in charge of it. And I'm
6 sure -- personally, I believe that they would do
7 in town versus outside of the city limits,
8 farther out, first. And I may be wrong, but
9 that's what I think would happen.
10 Q And what do you base that belief on?
11 A Because I'm just basing that on what usually
12 happens. The farther out you are, the less
13 service you get in a timely manner.
14 Q Is Fieldstone Road one lane in each direction?
15 A Yes.
16 Q When you drove here this morning -- did you
17 drive or did your husband drive?
18 A I drove.
19 Q So when you drove here this morning -- did you
20 come from home?
21 A I did.
22 Q What route of travel? Walk me through the
23 streets of travel.
24 A I went up Fieldstone, hit 48, come down Third
25 Street, went to Rogers, turned on I don't know

Page 27

1 what street it is, but I come in the back way
2 and parked here at the city hall.
3 MR. McNEIL: Ms. Combs, those are all the
4 questions I have for you. Thank you for your
5 time.
6 MR. BEGGS: Rachel, one question.
7 CROSS-EXAMINATION,
8 QUESTIONS BY WILLIAM J. BEGGS:
9 Q You testified earlier in response to one of
10 Mr. McNeil's questions about, your understanding
11 was that your property tax rate would increase
12 by \$800. He asked something about was that to
13 your property or on average, and I think you
14 said that was on average. Where did you get the
15 average?
16 A Actually, it's from our tax -- our --
17 Q Property?
18 A Property assessment for our property alone.
19 Q So you didn't mean to say average?
20 A No.
21 Q Is that what you're saying?
22 A Yes. It was for our property only.
23 Q I see.
24 A Where they -- it was the assessed value of our
25 property that we're taxed for.

Page 28

1 Q Okay.
2 A Mine only.
3 MR. BEGGS: Thank you. No further
4 questions.
5 REDIRECT EXAMINATION,
6 QUESTIONS BY ANDREW M. McNEIL:
7 Q Let me just clarify that and make sure.
8 Was this still at the county fairgrounds?
9 A No, no. That's what I get -- that was our
10 assessment we got on our taxes. Our property
11 taxes last year --
12 THE WITNESS: Oh, you meant the \$800?
13 MR. BEGGS: Yeah.
14 THE WITNESS: No.
15 MR. BEGGS: You testified -- you were
16 asked -- well, he's asking questions. I'm
17 sorry.
18 MR. McNEIL: Well, go ahead.
19 THE WITNESS: So I think I'm confused here.
20 BY MR. McNEIL:
21 Q I think Mr. Beggs and I both want to understand
22 clearly, so let's just kind of walk through it
23 step by step. We might be repeating what we've
24 already covered, but at the end of the day we
25 want a clear record and understanding.


Page 29

1 A Okay.
2 Q I think you had said you went to the meeting at
3 the fairgrounds, and while there, they had
4 talked about or you had seen information about
5 an \$800 tax increase, property tax increase?
6 A Yes.
7 Q What did you understand that \$800 to be
8 referring to?
9 A That was for my property that I live on.
10 Q So somebody there had your address that you were
11 able to cross-reference?
12 A Yes.
13 Q Okay. So that was a tax impact on your parcel?
14 A Yes.
15 Q Okay.
16 A Mine only.
17 Q Got you. And that still remains the only, call
18 it, investigation you've done to determine
19 the --
20 A Yes.
21 Q -- property tax impact of the annexation?
22 A Yes.
23 MR. McNEIL: I think that clears it up. I
24 have no further questions.
25 MR. BEGGS: You did it, thank you.

Page 30

1 No further questions.
 2 (Time noted: 10:04 a.m.)
 3 AND FURTHER THE DEPONENT SAITH NOT.
 4
 5
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 7 _____
 8 RACHEL COMBS
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Page 32

1 interested in the event of this action, and am not
 2 in the employ of the attorneys for any party.
 3 IN WITNESS WHEREOF, I have hereunto set my
 4 hand and affixed my notarial seal on this 15th
 5 day of March 2024.
 6
 7 
 8 _____
 9 Janine A. Ferren
 10
 11 Seal, Notary Public My Commission Expires:
 12 State of Indiana April 22, 2024
 13 Janine A. Ferren County of Residence:
 14 Commission No. NP0681591 Hamilton
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Page 31

1 STATE OF INDIANA)
) SS:
 2 COUNTY OF HAMILTON)
 3 I, Janine A. Ferren, a Notary Public in and
 4 for the County of Hamilton, State of Indiana at
 5 large, do hereby certify that RACHEL COMBS, the
 6 deponent herein, was by me first duly sworn to tell
 7 the truth, the whole truth, and nothing but the
 8 truth in the aforementioned matter;
 9 That the foregoing deposition was taken on
 10 behalf of the Respondents, at the offices of
 11 Bloomington City Hall, 401 North Morton Street,
 12 Bloomington, Monroe County, Indiana, on the 1st day
 13 of March 2024, commencing at the hour of 9:34 a.m.,
 14 pursuant to the Indiana Rules of Trial Procedure;
 15 That said deposition was taken down
 16 stenographically and transcribed under my
 17 direction, and that the typewritten transcript is a
 18 true record of the testimony given by the said
 19 deponent; and thereafter presented to said deponent
 20 for her signature;
 21 That the parties were represented by their
 22 counsel as aforementioned.
 23 I do further certify that I am a disinterested
 24 person in this cause of action; that I am not a
 25 relative or attorney of any party, or otherwise

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1 Veritext Legal Solutions
 1100 Superior Ave
 2 Suite 1820
 Cleveland, Ohio 44114
 3 Phone: 216-523-1313
 4 March 15, 2024
 5 To: William J. Beggs, Esq.
 6 Case Name: County Residents Against Annexation, Inc., et al. v. The
 Common Council Of The City Of Bloomington, Monroe County, Indiana, et
 7 al.
 8 Veritext Reference Number: 6465811
 9 Witness: Rachel Combs Deposition Date: 3/1/2024
 10 Dear Sir/Madam:
 11 The deposition transcript taken in the above-referenced
 12 matter, with the reading and signing having not been
 13 expressly waived, has been completed and is available
 14 for review and signature. Please call our office to
 15 make arrangements for a convenient location to
 16 accomplish this or if you prefer a certified transcript
 17 can be purchased.
 18 If the errata is not returned within thirty days of your
 19 receipt of this letter, the reading and signing will be
 20 deemed waived.
 21
 22 Sincerely,
 23 Production Department
 24
 25 NO NOTARY REQUIRED IN CA

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1 DEPOSITION REVIEW
CERTIFICATION OF WITNESS

2

3 ASSIGNMENT REFERENCE NO: 6465811
CASE NAME: County Residents Against Annexation, Inc., et al.
v. The Common Council Of The City Of Bloomington, Monroe County,
Indiana, et al.
DATE OF DEPOSITION: 3/1/2024
WITNESS' NAME: Rachel Combs
4 In accordance with the Rules of Civil
5 Procedure, I have read the entire transcript of
6 my testimony or it has been read to me.
7 I have made no changes to the testimony
as transcribed by the court reporter.
8

9 _____
Date Rachel Combs
10 Sworn to and subscribed before me, a
Notary Public in and for the State and County,
11 the referenced witness did personally appear
and acknowledge that:

12 They have read the transcript;
13 They signed the foregoing Sworn
Statement; and
14 Their execution of this Statement is of
their free act and deed.
15

I have affixed my name and official seal
16 this _____ day of _____, 20____.
17

18 _____
Notary Public
19 _____
Commission Expiration Date
20
21
22
23
24
25

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1 ERRATA SHEET
VERITEXT LEGAL SOLUTIONS MIDWEST
2 ASSIGNMENT NO: 3/1/2024
3 PAGE/LINE(S) / CHANGE /REASON
4 _____
5 _____
6 _____
7 _____
8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____
17 _____
18 _____
19 _____

20 _____
Date Rachel Combs
21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____
22 DAY OF _____, 20____.
23 _____
Notary Public
24 _____
25 Commission Expiration Date

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1 DEPOSITION REVIEW
CERTIFICATION OF WITNESS

2

3 ASSIGNMENT REFERENCE NO: 6465811
CASE NAME: County Residents Against Annexation, Inc., et al.
v. The Common Council Of The City Of Bloomington, Monroe County,
Indiana, et al.
DATE OF DEPOSITION: 3/1/2024
WITNESS' NAME: Rachel Combs
4 In accordance with the Rules of Civil
5 Procedure, I have read the entire transcript of
6 my testimony or it has been read to me.
7 I have listed my changes on the attached
Errata Sheet, listing page and line numbers as
8 well as the reason(s) for the change(s).
9 I request that these changes be entered
as part of the record of my testimony.
10

I have executed the Errata Sheet, as well
11 as this Certificate, and request and authorize
that both be appended to the transcript of my
12 testimony and be incorporated therein.
13

14 _____
Date Rachel Combs
15 Sworn to and subscribed before me, a
Notary Public in and for the State and County,
16 the referenced witness did personally appear
and acknowledge that:

17 They have read the transcript;
They have listed all of their corrections
18 in the appended Errata Sheet;
They signed the foregoing Sworn
19 Statement; and
Their execution of this Statement is of
20 their free act and deed.
21 I have affixed my name and official seal
22 this _____ day of _____, 20____.
23 _____
Notary Public
24 _____
25 Commission Expiration Date

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Indiana Rules of Trial Procedure
Depositions Upon Oral Examination

Rule 30

(e) Submission to witness--Changes--Signing.

(1) When the testimony is fully transcribed, the deposition shall be submitted to the witness for reading and signing and shall be read to or by him, unless such reading and signing have been waived by the witness and by each party. "Submitted to the witness" as used in this subsection shall mean (a) mailing of written notification by registered or certified mail to the witness and each attorney attending the deposition that the deposition can be read and examined in the office of the officer before whom the deposition was taken, or (b), mailing the original deposition, by registered or certified mail, to the witness at an address designated by the witness or his attorney, if requested to do so by the witness, his attorney, or the party taking the deposition.

(2) If the witness desires to change any answer in the deposition submitted to him, each change, with a statement of the reason therefor, shall be made

by the witness on a separate form provided by the officer, shall be signed by the witness and affixed to the original deposition by the officer. A copy of such changes shall be furnished by the officer to each party.

(3) If the reading and signing have not been waived by the witness and by each party the deposition shall be signed by the witness and returned by him to the officer within thirty (30) days after it is submitted to the witness. If the deposition has been returned to the officer and has not been signed by the witness, the officer shall execute a certificate of that fact, attach it to the original deposition and deliver it to the party taking it. In such event, the deposition may be used by any party with the same force and effect as though it had been signed by the witness.

(4) In the event the deposition is not returned to the officer within thirty (30) days after it has been submitted to the witness, the reporter shall execute a certificate of that fact and cause the certificate to be delivered to the party taking it. In such event, any party may use a copy of the

deposition with the same force and effect as though
the original had been signed by the witness.

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ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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