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BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

In re Brook Mining Co., LLC coal mine)
Permit – PT0841) EQC Docket No. 20-4802
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)
)

**BROOK MINING CO. LLC.’S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS TO POWDER RIVER BASIN RESOURCE COUNCIL**

COMES NOW, Brook Mining Co., LLC, (“Brook”) by and through its attorney Patrick J. Crank, Abbigail C. Forwood, and Jim D. Seward of the firm Crank Legal Group, P.C., and hereby submits the following Request for Production of Documents to Powder River Basin Resource Council (“PRBRC”), pursuant to Rule 34 of the Wyoming Rules of Civil Procedure.

Brook requests that PRBRC respond within thirty (30) days after service hereof to the following Requests for Production of Documents, according to Wyoming Rules of Civil Procedure 34. These request for productions are continuing in nature and they should be read and answered in accordance with the Wyoming Rules of Civil Procedure and the following instructions and definitions. Please produce all answers and responsive documents to Patrick J. Crank, Crank Legal Group, 1815 Evans Avenue, Cheyenne, WY 82001.



INSTRUCTIONS & DEFINITIONS

1. As used herein, "DOCUMENTS" means writings of every kind, source, and authorship, both originals and copies thereof, in your possession, custody, or control or known by you to exist, irrespective of whether the writing is one intended for or transmitted internally by you or intended for or transmitted to any other person or entity, including, but not limited to, any government agency, department, administrative entity, or other person or entity. The term shall include handwritten, typewritten, printed, photocopied, photographic, and recorded matter. It also includes communication in words, symbols, pictures, sound recordings, films, tapes, and information stored in or accessible through computers or other information storage or retrieval systems, together with the codes and/or programming instructions and other materials necessary to understand and use such systems. For purposes of illustration and not limitation, the term further includes: correspondence, transcripts of testimony, audio and video recordings, films, letters, notes, reports, papers, files, books, records, contracts, agreements; x-rays or other radiographic materials; telegrams, teletypes, e-mails, and other hard copy or electronic communications sent or received; diaries, calendars, logs, notes, or memoranda of telephonic or face-to-face conversations; drafts, work papers; agendas, bulletins, notices, circulars, announcements, instructions, schedules, minutes, summaries, notes, and other records and recordings of any conferences, meetings, visits, statements, interviews, or telephone conversations; bills, statements, and other obligations and expenditures; canceled checks, vouchers, receipts, and other records of payments; ledgers, journals, balance sheets, profit and loss statements, and other sources of financial data; analysis; statements; interviews, affidavits, printed matter (including published books, articles, speeches, and newspaper clippings), press releases, charts, drawings,

specifications, manuals, brochures, parts lists, memoranda of all kinds to and from any persons, agencies, or entities; technical and engineering reports, evaluations, advice, recommendations, commentaries, conclusions, studies, test plans, manuals, procedures, data, reports, results, and conclusions; records of administrative, technical, and financial actions taken or recommended; and all other writings, the contents of which relate to, discuss, consider, or otherwise refer to the subject matter of the particular discovery requested. In lieu of identifying any document, a copy may be attached to the answers to these interrogatories and requests for production and/or admission. The term document shall be read to include any paper, graphic material, film, videotape, disk, recorded matter or supporting computer data.

2. As used herein, "PERSON" means any natural person, firm, association, organization, partnership, business, trust, corporation, or public entity. The request or inquiry includes his or her full name, his or her present home address, his or her business address or last known business address, and his or her former and present position or job title and business affiliation, and, if the person is a corporation or association, the address of its principal place of business.
3. Where knowledge or information of a person is requested or possession or control by a person is inquired of, such request or inquiry includes knowledge, information, possession or control of by the person or by the person's agents, servants, employees, representatives, and, unless privileged, the person's attorneys.
4. As used herein, "COMMUNICATIONS" refers to writings, telephone conversations, oral communications other than telephone conversations, conferences, meetings, text messages, messages sent through any social media platform (through both private messaging and public posting) and any other form of communication.

5. As used herein, "POSSESSION" refers to being within the possession, custody, or control of Defendant, or any attorney, agent, representative, or employee of Defendant at any location.
6. In answering each request:
 - (a) identify by date, sender, recipient, location and custodian, each document relied upon or which forms a basis for the answer given or the substance of what is given in your answer;
 - (b) state whether the information furnished is within the personal knowledge of the person answering and, if not, the name, if known, of each person to whom the information is a matter of personal knowledge;
 - (c) identify each person who assisted or participated in preparing or supplying any of the information given in answer to or relied upon in preparing your answers; and
 - (d) if you maintain that any document or record which refers or relates to anything about which these Interrogatories ask has been destroyed, set forth the content of the document, the location of any copies of the document, the date of destruction, and the name of the person who ordered or authorized its destruction.
7. Present tense should be construed as also including the past tense where appropriate.
8. The singular should be construed as also including the plural and the plural shall be construed as also including the singular where appropriate.
9. If you are unable to answer any of these requests completely, answer to the extent possible, and state whatever information or knowledge you have concerning the unanswered portion.
10. Incomplete or evasive answers, disclosures and responses will be treated and regarded as a failure to answer or respond. W.R.C.P. 37(a)(4).
11. If you refuse to answer any Request in whole or in part, please describe the basis for your refusal including any claim of privilege or protection as trial preparation material in sufficient detail so as to enable the plaintiffs to assess the applicability of the privilege or protection and so as to permit the Court to adjudicate the validity of

your refusal. W.R.C.P. 26(b)(5). If your refusal to answer a Request is based upon an objection, please answer the Request to the extent the Request is not objectionable.

12. Each Request should be considered as a continuing request to supplement your responses with respect to the identity and location of persons having knowledge of discoverable matters and with respect to the identity of expert witnesses. Each Request should be considered as a continuing request to correct any response which you know or later learn is in some respect incomplete or incorrect W.R.C.P. 26(e)1.
13. As used herein, the terms "you" and "your" also refers to PRBRC answering these requests for production, and all other persons acting or purporting to act on behalf of PRBRC.
14. These requests for production are continuing in character. In accordance with the Wyoming Rules of Civil Procedure, you are required to supplement your answers promptly if you obtain further or different information. Amended or supplemental answers must be served should other or additional information be available to you or acquired by you pertaining to the following requests which would make any of the answers given by you at this time incorrect, incomplete, or misleading.
15. All electronic data, including electronic files and electronically stored information, kept in the normal and ordinary course of business are to be produced in their native file format with all metadata, both structural and descriptive, and complete text intact. Native file format is the file format, which the application works with during creation, edition, publication, archiving and storage of a file.

REQUESTS TO PRODUCE

REQUEST NO. 1: Provide copies of IRS Form 990's and all schedules and attachments for the last 5 years for PRBRC.

RESPONSE:

REQUEST NO. 2: Provide copies of Bylaws and Articles of Incorporation for PRBRC.

RESPONSE:

REQUEST NO. 3: Provide copies of any and all minutes of Board of Directors or Membership meetings for the last 5 years for the PRBRC.

RESPONSE:

REQUEST NO. 4: Current membership list and list of board of directors with address for each member or director of PRBRC.

RESPONSE:

REQUEST NO. 5: Any documents that detail and account for any and all membership fees, dues or contributions to the PRBRC.

RESPONSE:

DATED this 10TH day of September, 2020.



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Jim D. Seward, SD #2689
CRANK LEGAL GROUP, P.C.
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(307) 634-2994

CERTIFICATE OF SERVICE

PJC

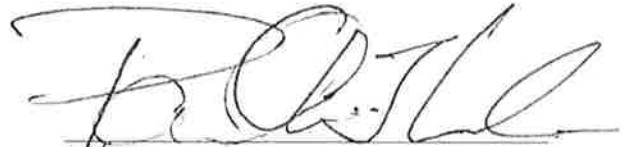
This is to certify that on the 10th day of ~~August~~ September, 2020, a true and correct copy of the foregoing *BROOK MINING CO, LLC'S FIRST REQUEST OF PRODUCTION OF DOCUMENTS TO POWDER RIVER BASIN RESOURCE COUNCIL* was served upon the following:

Shannon Anderson
Powder River Basin Resource Council
934 N. Main Street
Sheridan, WY 82801
sanderson@powderriverbasin.org

- U.S. Mail
- Fed Ex
- Email
- Hand Delivered

Matt VanWormer
Senior Assistant Attorney General
Wyoming Attorney General's Office
Kendrick Building
2320 Capitol Avenue
Cheyenne, WY 82002
Matt.vanwormer@wyo.gov

- U.S. Mail
- Fed Ex
- Email
- Hand Delivered



Patrick J. Crank