



August 14, 2019

Mr. Daniel T. Lamkin
Resolute Management Inc.
Account Manager
1000 Washington Street - 4th Floor
Boston, MA 02118

Via U.S. Certified Mail; return receipt requested

Subject: Former Day One Formal Wear, Inc., 3939 Lien Rd., Madison, Wisconsin
BRRTS #02-13-564044

Dear Mr. Lamkin:

The Wisconsin Department of Natural Resources ("department") has been notified of contamination associated with historic dry-cleaning operations at the above referenced site. As part of the on-going investigation, the department is looking for potential sources of contribution to the discharge of hazardous substances and environmental pollution at the site. Property records indicate the site operated as a dry-cleaner business from 1980 to 1989. The dry-cleaning operations were conducted by Day One Formal Wear, Inc. under the following business names: Day One Wedding Center, Tiffany's Bridal Fashion, Day One Formal Wear. Day One Formal Wear, Inc. was operated by Mr. Russel Pillar and Mrs. Carolyn Pillar and was administratively dissolved in 1993.

The department has reason to believe Day One Formal Wear, Inc. was the causer of historic dry-cleaner contamination caused by the discharge of hazardous substances and environmental pollution as contemplated by Wis. Stat. ch. 292 at the above referenced site. The department is now investigating whether you, as administrator of Commercial Union Insurance policies, have or had a policy of insurance covering liability to Day One Formal Wear, Inc. for its negligence in causing or contributing to the discharge of hazardous substances and environmental pollution present at this site.

The department is sending this letter to request any relevant records you can provide pertaining to specific policy numbers enumerated below, including records of Commercial Union Insurance Company policies made to the Pillar family for their Day One Formal Wear, Inc. business operations, including at the location of 3939 Lien Road in Madison, Wisconsin.

Commercial Union Insurance Policies Issued to Day One Formal Wear, Inc from November 1979 to July 1985:

- Commercial Union Insurance Company – WCCWG754069
- Commercial Union Insurance Company – CWG838607
- Commercial Union Insurance Company – WCCWG879587
- Commercial Union Insurance Company – WCCW83H0164731
- Commercial Union Insurance Company – WCCW84H0164731
- Commercial Union Insurance Company – CW85H0164731

Day One Formal Wear, Inc. is not a viable business with means to contribute to the actions necessary to remediate

the site. The department reserves the right to take direct action against an insurer. Wis. Stat. § 632.24 states “any bond or policy of insurance covering liability to others for negligence makes the insurer liable, up to the amounts stated in the bond or policy, to the persons entitled to recovery against the insured for the death of any person or for injury to persons or property, irrespective of whether the liability is presently established or is contingent and to become fixed or certain by final judgment against the insured.” The department is also contacting an additional insurer regarding coverage under different policies at this site.

Please feel free to contact me if you have questions about this request or want to discuss this matter in more detail. I can be reached at 608-275-3490 or TrevorA.Bannister@wisconsin.gov. If you have an attorney assigned to review this matter on behalf of Resolute, feel free to have that individual reach out to the department program attorney assigned to this matter, Bill Nelson. Bill may be reached at 608-267-7456 or William.Nelson@wisconsin.gov.

Sincerely,



Trevor Bannister
Hydrogeologist
Remediation and Redevelopment Program

cc: Bill Nelson, DNR Bureau of Legal Services