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OCT 24 2003

ILLINOIS POLLUTION CONTROL BOARD

BYRON SANDBERG,  
Petitioner,

vs.

THE CITY OF KANKAKEE, ILLINOIS  
CITY COUNCIL, TOWN & COUNTRY  
UTILITIES, INC., and KANKAKEE  
REGIONAL LANDFILL, L.L.C.  
Respondents.

PCB 04-33

(Third Party Pollution Control Facility  
Siting Appeal)

STATE OF ILLINOIS  
Pollution Control Board

WASTE MANAGEMENT OF ILLINOIS)  
INC.,

Petitioner,

vs.

THE CITY OF KANKAKEE, ILLINOIS  
CITY COUNCIL, TOWN & COUNTRY  
UTILITIES, INC., and KANKAKEE  
REGIONAL LANDFILL, L.L.C.,  
Respondents.

PCB 04-34

(Third Party Pollution Control Facility  
Siting Appeal)

COUNTY OF KANKAKEE, ILLINOIS,  
and EDWARD D. SMITH, KANKAKEE  
COUNTY STATE'S ATTORNEY,

Petitioners,

vs.

THE CITY OF KANKAKEE, ILLINOIS  
CITY COUNCIL, TOWN & COUNTRY  
UTILITIES, INC., and KANKAKEE  
REGIONAL LANDFILL, L.L.C.,  
Respondents.

PCB 04-35

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(Consolidated)

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on October 22, 2003 there caused to be filed via U.S. Mail with the Illinois Pollution Control Board an original and 9 copies of the following document, a copy of which is attached hereto:

**MOTION TO STRIKE INTERROGATORIES**

BY: George Mueller  
Attorney at Law

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PROOF OF SERVICE

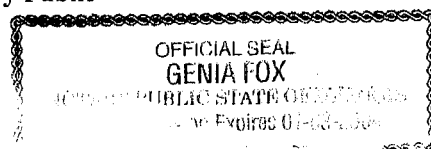
STATE OF ILLINOIS )  
 )SS.  
COUNTY OF LASALLE )

The undersigned, being first duly sworn, state that I served a true and correct copy of the foregoing Notice, together with a copy of each document referred to therein, upon the person(s) indicated at their address(es) indicated in the Service List by mailing the same in Ottawa, IL before the hour of 5:00 p.m. on the 22nd Day of October, 2003.

Patricia Wheeler

SUBSCRIBED and SWORN TO Before Me This 22nd Day of October, 2003.

Genia Fox  
Notary Public



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THE ILLINOIS POLLUTION CONTROL BOARD

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**MOTION TO STRIKE INTERROGATORIES**

Now come the Respondents, Town & Country Utilities, Inc. and Kankakee Regional Landfill, LLC, by George Mueller, one of their attorneys, and move to strike the Interrogatories propounded by the County of Kankakee, Illinois and Edward D. Smith, State's Attorney of Kankakee County, and in support thereof state as follows:

1. Section 101.620(a) of the Board's General Rules states, "unless ordered otherwise by the Hearing Officer, a party may serve a maximum of 30 written interrogatories, including sub-parts, on any other party, no later than 35 days before hearing."

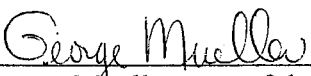
2. That on October 17, 2003, the Petitioners, County of Kankakee, Illinois and Edward D. Smith, Kankakee County State's Attorney, served upon Town & Country a set of Interrogatories consisting of 13 Interrogatories. However, when one counts the various sub-parts clearly identified in the Interrogatories, the total Interrogatories including sub-parts is 66, more than double the amount allowed by Board Rules.

3. That the County of Kankakee has not sought approval to exceed the maximum interrogatories allowed by Board Rules.

**WHEREFORE**, the Respondents that this Court strike the Interrogatories propounded by the Petitioners, County of Kankakee, Illinois and Edward D. Smith, State's Attorney of Kankakee County.

Town & Country Utilities, Inc. and  
Kankakee Regional Landfill, LLL,  
Respondents,

BY:

  
George Mueller, one of their Attorneys

**GEORGE MUELLER, P.C.**  
*Attorney at Law*  
501 State Street  
Ottawa, IL 61350  
Phone: (815) 433-4705