

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 11-050
)
The CITY OF MORRIS, an Illinois municipal)
corporation, and COMMUNITY LANDFILL)
COMPANY, INC., a dissolved Illinois)
corporation,)
)
Respondents.)

**MOTION FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF
MOTION TO DISMISS FOR WANT OF PROSECUTION**

NOW COMES Respondent, City of Morris, an Illinois municipal corporation, by and through its attorneys, Hinshaw & Culbertson, LLP, and for its Motion For Leave to File Reply Brief in Support of Motion to Dismiss for Want of Prosecution, states as follows:

1. The City of Morris hereby brings this Motion to Hearing Officer Halloran for Leave to File a Reply Brief in Support of Motion to Dismiss for Want of Prosecution.
2. Pursuant to 35 Ill.Admin. Code §101.500(e) the Hearing Officer has the discretion to grant a motion for permission to file a reply brief as long as said motion is brought within fourteen (14) days after service of the response. On March 9, 2020 the State filed a response to the City's Motion for Dismissal for Want of Prosecution.
3. The State's response contains numerous erroneous representations as to the facts of this case which need clarified and further the State has argued that the Motion for Dismissal for Want of Prosecution should somehow be denied based upon violation notices issued in 2013 and assertions by the State related to final closure of the landfill which were, and are, at no time alleged in the present complaint in front of the Pollution Control Board.
4. Upon permission being granted to file a reply brief, it will be filed within fourteen (14) days.

WHEREFORE, Respondent, City of Morris, requests leave to file a reply brief within fourteen (14) days.

Dated: March 23, 2020

Respectfully submitted,

On behalf of CITY OF MORRIS

/s/ Richard S. Porter
One of Its Attorneys

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AFFIDAVIT OF SERVICE

The undersigned certifies that on March 23, 2020 she served a copy of the foregoing Motion For Leave to File Reply Brief in Support of Motion to Dismiss for Want of Prosecution upon the following:

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Mr. Bradley P. Halloran
Hearing Officer
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by e-mailing at or about the hour of 4:30 p.m., addressed as above.

/s/ Danita M. Heaney

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