

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DIANA LEINDL and KEVIN LEINDL,)	
)	
Complainant,)	
)	
v.)	PCB 19-59
)	(Citizens Enforcement – Noise)
HARTSBURG GRAIN CO.)	
)	
Respondent.)	

Respondent's Response to Complainants' Motion to Compel Discovery

NOW COMES the Respondent, HARTSBURG GRAIN CO., by and through its attorneys, Hasselberg Grebe Snodgrass Urban & Wentworth, and for its response to the Motion to Compel Discovery filed on or about July 6, 2020, respectfully states as follows:

1. Complainants issued Respondent a “Request for Discovery” on or about February 1, 2020 seeking operations documents and certain other information for the subject grain elevator.
2. Due to the COVID-19 pandemic and Governor Pritzker’s Executive Orders, working remotely and in compliance with the letter and spirit of the orders initially made responding to discovery difficult. Although restrictions have eased recently, the pandemic has impacted the undersigned legal counsel’s ability to complete the answers to discovery in prompt fashion.
3. Technical defects in the Motion to Compel Discovery aside, Complainants are entitled to the discovery responses and documents they seek; however, the requested information is fairly involved and detailed.
4. Respondent requests an additional ten (10) days to complete the answers and assemble the documents.

5. Respondent has acted in good faith and advised the Complainants and Hearing Officer of status.

6. A status hearing is set for August 6, 2020 in this matter.

WHEREFORE, the Respondent, HARTSBURG GRAIN CO., prays the Hearing Officer deny the motion, and give Respondent until Thursday, July 30, 2020 within which to serve responses to the written discovery, and for such other and further relief as the Hearing Officer deems appropriate.

Respectfully submitted,

Dated: July 20, 2020

By: /s/David L. Wentworth II
David L. Wentworth II

David L. Wentworth II
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CERTIFICATE OF SERVICE

I, David L. Wentworth II, the undersigned, certify that I have served on July 20, 2020, the attached Response to Complainants' Motion to Compel Discovery was served upon the following persons by depositing said document in the United States Postal Service mailbox by the time of 5:00 PM, with proper postage prepaid, in Peoria, Illinois:

Mr. Don A. Brown
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Diana Leindl and Kevin Leindl
204 South Second
Hartsburg, IL 62643

Dated: July 20, 2020

/s/David L. Wentworth II
David L. Wentworth II