

ILLINOIS POLLUTION CONTROL BOARD
May 29, 1980

ENVIRONMENTAL PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 78-121
)
JOHN STOREY, et al.)
)
Respondents.)


INTERIM ORDER OF THE BOARD (by J. Anderson):

A hearing was held in this enforcement action on April 4, 1980. During the course of the hearing, certain original documents were admitted into evidence as Respondents' Group Exhibit 5. By agreement, these originals were returned to Respondents' counsel after counsel for both parties agreed to stipulate to the admissibility of photocopies of these documents. Counsel for the Complainant was to have received this stipulation and the photocopies within 7 days, whereupon Exhibit 5 and Respondents' other exhibits were to have been filed with the Board (R. 280, 418, 422-23). Counsel also agreed to a final briefing schedule, to commence running April 4, 1980, allowing 28 days for filing of Complainant's brief, then 14 days for filing of Respondent's brief, and then 7 days for Complainant's response, if any (R. 422).

To date, Group Exhibit 5 and Respondents' other exhibits have not been filed. No motions for extension of time have been filed nor has the briefing schedule been followed. Therefore, the Board orders that Respondents' Group Exhibit 5 and other exhibits be submitted to the Hearing Officer for filing with the Board on or before June 12, 1980, or they will be denied admission into evidence. Closing briefs shall be filed according to the agreed 28-14-7 day schedule, to commence running June 12, 1980.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Interim Order was adopted on the 29th day of May, 1980, by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board