

ILLINOIS POLLUTION CONTROL BOARD
April 8, 1993

PEOPLE OF THE STATE OF)
ILLINOIS,)
)
Complainant,)
)
v.) PCB 92-84
) (Enforcement)
BERKSHIRE FURNITURE COMPANY)
INC.,)
)
Respondent.)

ORDER OF THE BOARD (by J. C. Marlin):

This matter comes before the Board on its own motion. This complaint was filed with the Board on June 2, 1992. On July 7, 1992, Berkshire Furniture Company Inc. (Berkshire) filed a motion for extension of time in which to file an answer. In the motion, Berkshire stated that the parties were discussing final settlement terms. On August 5, 1992, the Hearing Officer granted Berkshire's motion for extension of time in which to file an answer until August 17, 1992.

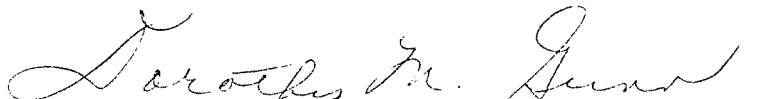
No answer has been filed. Therefore, "all material allegations of the complaint shall be taken as denied," as provided by the Board's procedural rules. (35 Ill. Adm. Code 103.122.)

The hearing officer is directed to schedule this matter for hearing by May 12, 1993, and to finish all hearings by July 16, 1993. The hearing officer is also directed to set a post-hearing briefing schedule if required.

Failure to complete hearings according to this schedule will subject this proceeding to dismissal for want of prosecution.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 8th day of April, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0141-0051