

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JAN - 6 2004

STATE OF ILLINOIS
POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
vs.)
)
COMMUNITY LANDFILL COMPANY,)
INC., an Illinois corporation,)
)
Respondent.)

PCB No. 97-193
(Enforcement)

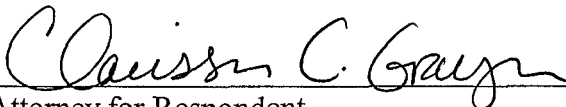
NOTICE OF FILING

TO: Ms. Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, 11-500
Chicago, IL 60601

Mr. Christopher Grant
Assistant Attorney General
Environmental Bureau
188 W. Randolph, 20th Floor
Chicago, IL 60601

Mr. Brad Halloran
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

PLEASE TAKE NOTICE that on January 6, 2004, we filed with the Clerk of the Illinois Pollution Control Board an original and nine copies of AGREED MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTION FOR LEAVE TO AMEND COMPLAINT, a copy of which is attached and herewith served upon you.



Attorney for Respondent

Mark A. LaRose
Clarissa C. Grayson
Attorney No. 37346
LaRose & Bosco, Ltd.
734 N. Wells Street
Chicago, IL 60610
(312) 642-4414
Fax (312) 642-0434

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
POLLUTION CONTROL BOARD

**AGREED MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTION FOR
LEAVE TO AMEND COMPLAINT**

This matter coming before the Illinois Pollution Control Board on the parties' Agreed Motion for Extension of Time to Respond to Motion for Leave to Amend Complaint, Christopher Grant, Assistant Attorney General, on behalf of the People of the State of Illinois, Complainant, and Mark A. LaRose and Clarissa Grayson, LaRose & Bosco, Ltd., on behalf of Community Landfill Company ("CLC"), Respondent, and in support thereof, state as follows:

1. During a telephonic status conference on November 25, 2003, Complainant stated that it would be seeking leave to file a Third Amended Complaint in the above referenced matter and would file its motion for leave on or before December 5, 2003. On November 26, 2003, Hearing Officer Bradley Halloran entered an order directing Complainant to file its response on or before January 9, 2004. (See Exhibit "A").

2. On December 5, 2003, Complainant filed the above referenced motion but did not file the third amended complaint itself until December 30, 2003. Respondent CLC only received a copy of the third amended complaint on January 2, 2004 which contains 19 Counts and is 50 pages in length.

3. Pursuant to the November 25, 2003 order, Respondent CLC's response to the

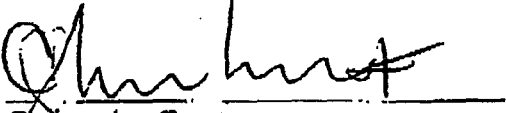
People's motion to file third amended complaint is due on Friday, January 9, 2004. (See Exhibit "A"). Unless granted an extension, that date would allow Respondent only one week to review the People's Third Amended Complaint and file its response to the People's motion to file amended complaint.

4. Complainant does not have an objection to the Board's granting Respondent additional time to respond to the People's motion to file third amended complaint.

WHEREFORE, based on the foregoing, the parties respectfully request that the Board grant the parties' Agreed Motion for Extension of Time to Respond to Motion to File Third Amended Complaint and allow Respondent until January 30, 2004 to file its response to Plaintiff's motion.

Respectfully Submitted,

PEOPLE OF THE STATE OF ILLINOIS,



Christopher Grant
Assistant Attorney General

Christopher Grant
Assistant Attorney General
Environmental Bureau
188 W. Randolph, 20th Floor
734 N. Wells Street

COMMUNITY LANDFILL COMPANY,



Clarissa Grayson

Mark A. LaRose
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NOV 26 2003

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
November 26, 2003

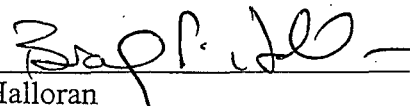
PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 97-193
)	(Enforcement - Land)
COMMUNITY LANDFILL COMPANY,)	
INC.,)	
)	
Respondent.)	

HEARING OFFICER ORDER

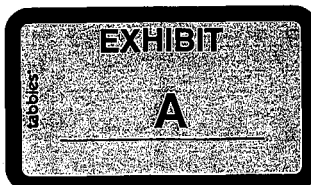
On November 25, 2003, all parties participated in a telephonic status conference. The complainant represented that it intends to file a motion for leave to file an amended complaint, naming the owners of Community Landfill Company, Inc., on or before December 5, 2003. The respondent was directed to file its response on or before January 9, 2004. The parties reported that discovery is complete as to the above-captioned complaint, subject to the duty to seasonably supplement.

The parties are reminded that a telephonic status conference with the hearing officer is scheduled for February 24, 2004, at 9:00 a.m. The status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.



Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917



CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, to each of the following on November 26, 2003:

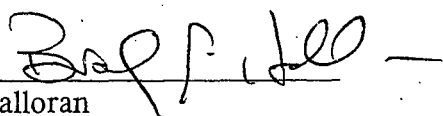
Charles F. Helsten
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100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389

Mark A. LaRose
LaRose & Bosco, Ltd.
734 North Wells Street
Chicago, IL 60610

Christopher J. Grant
Assistant Attorney General
Office of the Attorney General
Environmental Bureau
188 W. Randolph Street, 20th Floor
Chicago, IL 60601

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on November 26, 2003:

Dorothy M. Gunn
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601



Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
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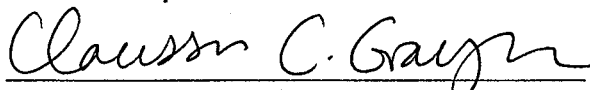
CERTIFICATE OF SERVICE

The undersigned, an attorney, on oath states that she caused to be served a copy of the foregoing AGREED MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTION FOR LEAVE TO AMEND COMPLAINT to the following parties of record, by placing same in U.S. Mail, postage prepaid, this 6th day of January, 2004:

Ms. Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street
Chicago, IL 60601

Mr. Christopher Grant
Environmental Bureau
Assistant Attorney General
188 West Randolph Street, 20th Floor
Chicago, IL 60601

Mr. Brad Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street
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Attorney for Respondent

Mark A. LaRose
Clarissa C. Grayson
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