

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
by LISA MADIGAN, Attorney General of the)
State of Illinois,)
)
Complainant,)
)
v.)
)
EDWARD PRUIM, an individual, and)
ROBERT PRUIM, an individual,)
)
Respondents.)

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OCT - 5 2004

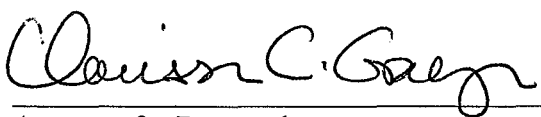
PCB No. 04-207)
(Enforcement))
STATE OF ILLINOIS
Pollution Control Board

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

PLEASE TAKE NOTICE that on October 5, 2004, we filed with the Clerk of the Illinois Pollution Control Board an original and nine copies of **RESPONDENTS EDWARD PRUIM AND ROBERT PRUIMS' MOTION FOR LEAVE TO FILE A REPLY**, a copy of which is attached and herewith served upon you.



Attorney for Respondent

Mark A. LaRose
Clarissa C. Grayson
Attorney No. 37346
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
 by LISA MADIGAN, Attorney General of the)
 State of Illinois,)
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 Complainant,)
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 v.)
)
 EDWARD PRUIM, an individual, and)
 ROBERT PRUIM, an individual,)
)
 Respondents.)

PCB No. 04-207

RESPONDENTS EDWARD PRUIM AND ROBERT PRUIMS' MOTION FOR LEAVE TO FILE A REPLY

RESPONDENTS, EDWARD PRUIM and ROBERT PRUIM, by and through his attorneys LAROSE & BOSCO, LTD. hereby move the Board for leave to file a reply and in support thereof, states as follows:

1. On September 10, 2004, Respondents filed a motion to dismiss the complaint filed by the People of the State of Illinois in the above matter.

2. Pursuant to Board rule Section 101.500(d), Complainant's response was to be filed on September 24, 2004. During a telephonic status conference on September 30, 2004, over Respondents' objection, Hearing Officer Bradley Halloran granted Complainant's oral motion to file its response late, on October 4, 2004.

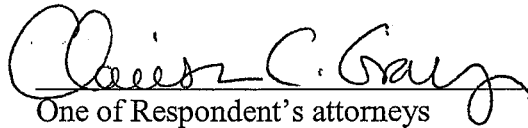
3. During the telephonic status conference, Hearing Officer Halloran indicated that there was a possibility that the Board could consider Respondents' motion to dismiss as early as Thursday, October 7, 2004.

4. While Respondents only received the Complainant's response yesterday, October 4, 2004, they would like to reserve the right to file a reply prior to the Board's considering their motion to dismiss.

5. While Respondents have not yet had the opportunity to fully review Complainant's response, Respondents are filing the current motion for leave to file a reply in order to protect their right to do so prior to the next Board hearing currently scheduled for October 7, 2004.

WHEREFORE, Respondents EDWARD PRUIM and ROBERT PRUIM respectfully request that the Board grant them leave to file a reply in the above matter, if they choose to do so, on or before October 18, 2004.

Respectfully submitted,


One of Respondent's attorneys

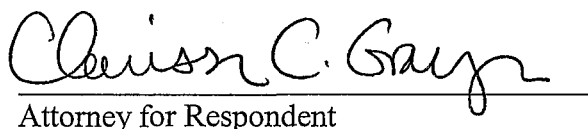
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CERTIFICATE OF SERVICE

The undersigned, an attorney, on oath states that she caused to be served a copy of the foregoing **RESPONDENTS EDWARD PRUIM AND ROBERT PRIUM'S MOTION FOR LEAVE TO FILE A REPLY** to the following parties of record, by placing same in the U.S. Mail, postage prepaid this 5TH day of October, 2004:

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

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



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