

ILLINOIS POLLUTION CONTROL BOARD
December 6, 2004

GINA PATTERMANN,)
)
 Complainant,)
)
 v.) PCB 99-187
) (Citizens Enforcement - Noise, Air)
BOUGHTON TRUCKING AND)
 MATERIALS,)
)
 Respondent.)

HEARING OFFICER ORDER

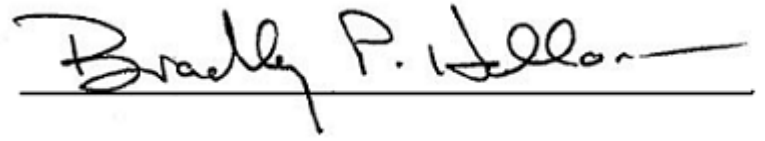
On December 2, 2004, all parties participated in a telephonic status conference. The complainant made an oral motion to cancel the previously scheduled December 13 and 14, 2004 hearing. The complainant's attorney stated that he had a death in the family and that he would not be ready to participate in the hearing. The attorney for the complainant filed a written motion with affidavit on December 2, 2004, supporting his motion. The respondent objected stating that it was ready for hearing and that additional costs would be incurred if the hearing were cancelled.

The complainant's motion is granted where the hearing officer finds sufficient reason to cancel the hearing. The hearing set for December 13 and 14, 2004, in the above-captioned matter is hereby cancelled.

Alternative hearing dates were discussed which included the week of January 24, 2005, and the week of January 31, 2005. Respondent later informed the hearing officer that its expert witness was not available the week of January 24, 2005. To that end, a hearing for January 31, 2005, and February 1, 2005, has been tentatively scheduled. The time and location will be noted in the notice of hearing.

The parties are directed to participate in a telephonic status conference with the hearing officer on December 20, 2004, at 9:30 a.m. The conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
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