

FEB 15 2005

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	STATE OF ILLINOIS
)	Pollution Control Board
)	PCB 96-98
)	
v.)	Enforcement
)	
)	
SKOKIE VALLEY ASPHALT, CO., INC.,)	
EDWIN L. FREDERICK, JR., individually and as)	
owner and President of Skokie Valley Asphalt)	
Co., Inc., and RICHARD J. FREDERICK,)	
individually and as owner and Vice President of)	
Skokie Valley Asphalt Co., Inc.,)	
Respondent)	

RESPONDENTS' MOTION TO COMPEL RESPONSE TO DISCOVERY

The Respondents, SKOKIE VALLEY ASPHALT, CO., INC., EDWIN L. FREDERICK, JR., individually and as owner and President of Skokie Valley Asphalt Co., Inc., and RICHARD J. FREDERICK, individually and as owner and Vice President of Skokie Valley Asphalt Co., Inc., by and through its attorney, David S. O'Neill, herein move this Board to compel the Complainant to reply to the discovery request served on the Complainant on December 30, 2004 and in support thereof states as follows:

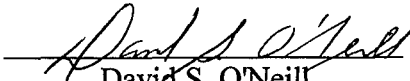
BACKGROUND AND LEGAL STANDARD

1. On December 30, 2004, the Respondents served the Complainants with a "Respondents' First Set of Document Requests Regarding Attorneys' Fees, Costs and Expenses".
2. In the Request for Documents, the Respondents made a "request for production of documents, to be produced for inspection and copying within 28 days from the date of service, at the offices of David S. O'Neill..."
3. To date, no such documents have been produced and delivered as requested.
4. On January 29, 2005, in compliance with Illinois Supreme Court Rule 201(k), the

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached Respondents' Motion to Strike and Objections to Complainant's Closing Argument and Reply Brief by hand delivery on February 15, 2005, upon the following party:


Mitchell Cohen
Environmental Bureau
Assistant Attorney General
Illinois Attorney General's Office
188 W. Randolph, 20th Floor
Chicago, IL 60601

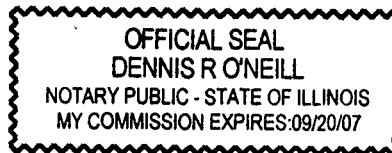

David S. O'Neill

NOTARY SEAL

SUBSCRIBED AND SWORN TO ME this 14

day of FEBRUARY, 2005


Notary Public



RECEIVED
CLERK'S OFFICE

FEB 15 2005

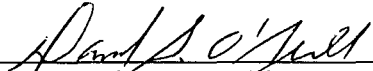
STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
)	PCB 96-98
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v.)	Enforcement
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SKOKIE VALLEY ASPHALT, CO., INC.,)	
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owner and President of Skokie Valley Asphalt)	
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Skokie Valley Asphalt Co., Inc.,)	
Respondent)	

NOTICE OF FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Respondents' Motion to Strike and Objections to Complainant's Closing Argument and Reply Brief, a copy of which is hereby served upon you.



David S. O'Neill

February 15, 2005

David S. O'Neill, Attorney at Law
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