ILLINOIS POLLUTION CONTROL BOARD August 7, 2006

MORTON F. DOROTHY,)
Complainant,)
v.)
FLEX-N-GATE CORPORATION, an Illinois Corporation,)))
Respondent.))

PCB 05-49 (Citizens Enforcement – Air, Land)

HEARING OFFICER ORDER

On August 7, 2006, the parties participated in a telephone status conference with the hearing officer. Respondent will respond to complainant's settlement offer by tomorrow. At the next status conference, the parties will have a better idea of whether this case may settle, or whether a deadline needs to be set for complainant's amended complaint.

The parties are directed to participate in a telephone status conference with the hearing officer at 9:30 a.m. on August 29, 2006. The status conference shall be initiated by the complainant.

IT IS SO ORDERED.

Carol Webb

Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274 217/524-8509 webbc@ipcb.state.il.us

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on August 7, 2006, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on August 7, 2006:

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

Carol Webb

Carol Webb Hearing Officer Illinois Pollution Control Board 600 S. Second Street, Suite 402 Springfield, Illinois 62704 217/524-8509 webbc@ipcb.state.il.us

PCB 2005-049 Thomas G. Safley Hodge Dwyer Zeman 3150 Roland Avenue Post Office Box 5776 Springfield, IL 62705-5776

PCB 2005-049 Morton F. Dorothy 104 W. University SW Suite Urbana, IL 61801

PCB 2005-049 Flex-N-Gate (Guardian West) 601 Guardian Drive Urbana, IL