

## ILLINOIS POLLUTION CONTROL BOARD

November 2, 2006

GRAND PIER CENTER LLC and	)	
AMERICAN INTERNATIONAL	)	
SPECIALTY LINES INSURANCE CO., as	)	
subrogee of GRAND PIER CENTER LLC,	)	
	)	
Complainants,	)	
	)	
v.	)	PCB 05-157
	)	(Citizens Enforcement –
Land)		
RIVER EAST LLC, CHICAGO DOCK	)	
AND CANAL TRUST, CHICAGO DOCK	)	
AND CANAL COMPANY, and TRONOX LLC,	)	
	)	
Respondents.	)	

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TRONOX LLC,	)	
	)	
Counter-Complainants,	)	
	)	
v.	)	PCB 05-157
	)	(Citizens Enforcement –
Land)		
GRAND PIER CENTER LLC, and	)	
AMERICAN INTERNATIONAL	)	
SPECIALTY LINES INSURANCE CO., as	)	
subrogee of Grand Pier Center LLC,	)	
	)	
Counter-Respondents.	)	

**HEARING OFFICER ORDER**

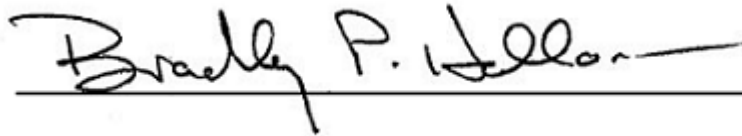
On November 2, 2006, a telephonic status conference was held. The parties or their respective legal representatives for River East LLC (River East), Chicago Dock and Canal Trust (Trust) and Chicago Dock and Canal Company (Company), did not appear. It is noted that there have been no appearances filed on behalf of River East, Trust or Company.

The complainant represented that it will file a motion for default as to River East and Trust within the next 14 days. Once the default is obtained, it intends to file a motion

to voluntarily dismiss Company. The complainant represented that discovery is proceeding as to Tronox LLC.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on January 11, 2007, at 10:00 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. The parties are reminded that in an adjudicatory proceeding before the Board, like this enforcement matter, only individuals may represent themselves and appear *pro se*. Trusts, companies, and other legal entities must be represented by a licensed attorney. See 35 Ill. Adm. Code 101.400 (a) (2). Since River East, Trust, and Company are corporate respondents, they must be represented by an attorney who has filed an appearance with the Board. In other words, the 15 individuals being served consistent with this order may not participate in the status conference; the only appropriate participants are attorneys for complainants, Tronox, and any attorney who has filed an appearance on behalf of River East, Trust, and/or the Company. The complainant is reminded that it must file proof that the original complaint was properly served on the Company, so as to give the Board jurisdiction of this respondent.

IT IS SO ORDERED

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

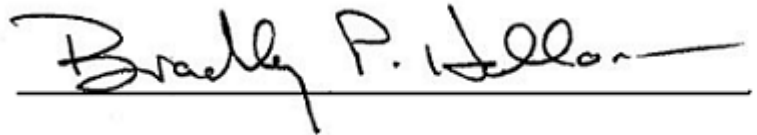
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
312.814.8917

## CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on November 2, 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 November 2, 2006:

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

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-8917

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PCB 2005-157  
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Pedersen & Houpt  
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Chicago, IL 60601-3224

PCB 2005-157  
Karen MacAdam  
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Chicago, IL 60657

