

ILLINOIS POLLUTION CONTROL BOARD
September 27, 2007

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|--------------------------------|---|-----------------------------|
| FOX MORaine, L.L.C., |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) | PCB 07-146 |
| UNITED CITY OF YORKVILLE, CITY |) | (Pollution Control Facility |
| COUNCIL, |) | Siting Appeal) |
| |) | |
| Respondent. |) | |
| |) | |

AMENDED HEARING OFFICER ORDER

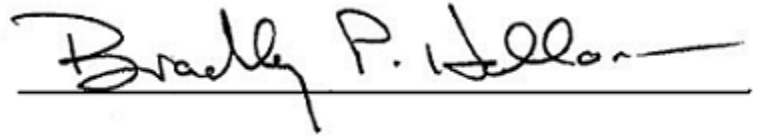
On September 20, 2007, all parties participated in a telephonic status conference with the hearing officer. The hearing officer order of September 20, 2007, denying respondent's motion for a protective order and granting respondent's motion to stay discovery was briefly discussed.

In the September 20, 2007, hearing officer order, respondent was in essence granted a stay of discovery and established a September 28, 2007, due date for respondent's responses to petitioner's written discovery. Fox Moraine made an oral motion for extension of time to file its responses to respondent's written discovery, to and including October 5, 2007. Fox Moraine argued that since it propounded and served its written discovery approximately 6 days before respondent did, it should be given additional time to respond. Over objection, petitioner's motion was granted to the extent that petitioner's responses are now due to be served by October 2, 2007.

The petitioner represented that it will file an additional waiver of the statutory decision deadline to and including March 20, 2008.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on October 18, 2007, at 11:45 a.m. The telephonic conference must be initiated by the petitioner, 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.

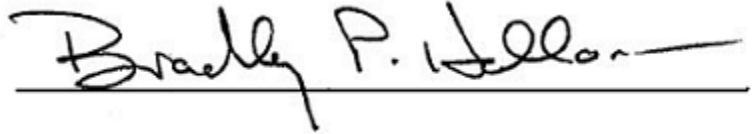
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order was mailed, first class, on September 27, 2007, 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 September 27, 2007:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran" with a horizontal line underneath it.

Bradley P. Halloran
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