

ILLINOIS POLLUTION CONTROL BOARD
May 12, 2008

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

HEARING OFFICER ORDER

On May 8, 2008, a telephonic status conference was held. The respondent represented that it anticipates that it will timely respond to petitioner's second request to produce, filed May 5, 2008.

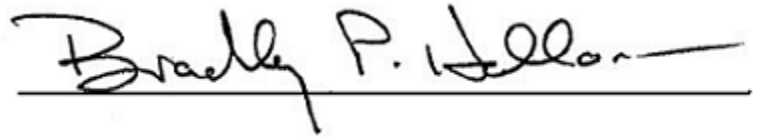
Respondent's motion to dismiss the above-captioned matter for petitioner's failure to pay costs of preparing and certifying the record, filed May 1, 2008, was also discussed. The petitioner represented that it was an oversight and has rectified the matter. The respondent represented that it anticipates that it will file a motion to withdraw its motion in the near future.

The parties were informed that we have secured a location for the hearing on August 5 through the 8, 2008. The time and location will be noted in the notice of hearing.

The petitioner is reminded to file an additional waiver of the statutory decision deadline as discussed at the April 8, 2008, telephonic status conference.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on June 26, 2008, at 1:30 p.m. Please inform the hearing officer if this date and time is inconvenient. The telephonic conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. The petitioner represented that the conference call-in number will be the same as on May 8, 2008. 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.

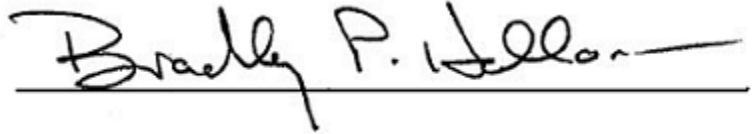
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order was mailed, first class, on May 12, 2008 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 May 12, 2008:

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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