

ILLINOIS POLLUTION CONTROL BOARD
September 22, 2008

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

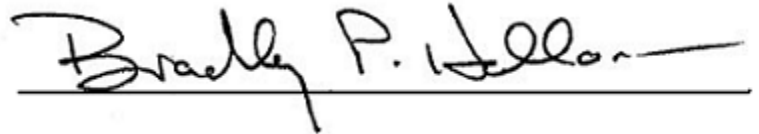
HEARING OFFICER ORDER

A telephonic status conference was held on September 18, 2008. The parties present represented that depositions are proceeding with additional depositions scheduled in the near future. The parties are reminded that pursuant to Section 101.616 of the Board's procedural rules, "[u]nless a claim of privilege is asserted, it is not a ground for objection that the testimony of a deponent or person interrogated will be inadmissible at hearing, if the information sought is reasonably calculated to lead to relevant information".

The parties were informed that any pre-hearing motions, including motions *in limine*, are now due to be filed on or before September 24, 2008. Any responses to the motions must be filed on or before September 29, 2008. The parties respective witness lists and exhibit lists are due to be filed on or before September 26, 2008. The parties were informed that the mailbox rule will not apply to the above-mentioned filings, and all electronic or approved telefax filings must be received by the Clerk's office no later than 4:30 p.m. of the due date.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on October 1, 2008, at 1:30 p.m. 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 September 18, 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.

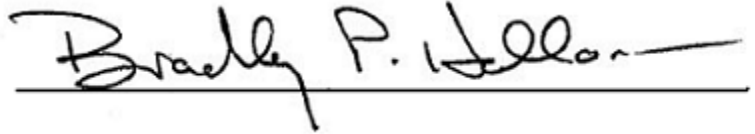
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order was mailed, first class, on September 22, 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 September 22, 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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