

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**RANDY GRANT, DONALD GRANT and  
PATRICIA WALLACE,**

**Complainants,**

**v.**

**CLINE RESOURCE AND DEVELOPMENT  
COMPANY and MACH MINING LLC,**

**Respondents.**

ORIGINAL

**PCB 07-145  
(Citizens Enforcement-Noise)**

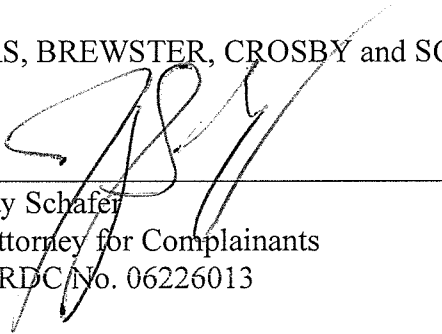
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OCT 24 2008  
STATE OF ILLINOIS  
Pollution Control Board**

**ENTRY OF APPEARANCE FOR COMPLAINANTS**

NOW COMES the law firm of WINTERS, BREWSTER, CROSBY and SCHAFER LLC, and hereby enters its appearance on behalf of Complainants, RANDY GRANT, DONALD GRANT, and PATRICIA WALLACE, in the above-entitled matter and requests that all further pleadings and/or notices be forwarded to this office.

WINTERS, BREWSTER, CROSBY and SCHAFER LLC

BY \_\_\_\_\_

  
Jay Schafel  
Attorney for Complainants  
ARDC No. 06226013

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OCT 24 2008

CERTIFICATE OF MAILING

STATE OF ILLINOIS  
Pollution Control Board

The undersigned certifies that a copy of the above and foregoing instrument was mailed by depositing the same in a U.S. Post Office Box in the City of Marion, Illinois, postage fully prepaid and addressed to:

Ms. Alison K. Hayden  
Ms. Claire Manning &  
Mr. Scott Helmolz  
Brown, Hay & Stephens, LLP  
205 S. Fifth Street, Suite 700  
P.O. Box 2459  
Springfield, IL 62705

Ms. Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, IL 62794-9274

Dated this 2<sup>nd</sup> day of October, 2008.

Amanda Hajewski

WINTERS, BREWSTER, CROSBY and SCHAFER, LLC  
Attorneys at Law  
111 West Main, P.O. Box 700  
Marion, IL 62959  
Phone: (618)997-5611  
Fax: (618)997-6522

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**PCB 07-145  
(Citizens Enforcement-Noise)**

**COMPLAINANTS' MOTION TO CONTINUE THE  
OCTOBER 27, 2008 TELEPHONE STATUS CONFERENCE**

NOW COME the Complainants, RANDY GRANT, DONALD GRANT, and PATRICIA WALLACE, hereinafter "Complainants," by and through their attorneys, WINTERS, BREWSTER, CROSBY and SCHAFER LLC, and for their Motion to Continue the October 27, 2008 Telephone Status Conference hereby state as follows:

1. Complainants retained the undersigned counsel to represent them in this matter. The contract of employment retaining counsel was signed today.
2. Complainants' attorney has filed an Entry of Appearance herewith and needs time to review the documents on file and discovery before proceeding with a telephone status conference.
3. Complainants' attorney has another obligation scheduled in a case before the U.S. District Court for the Southern District of Illinois on October 27, 2008. Same was scheduled prior to entering an appearance in the above captioned matter.
4. Complainants' attorney has contacted one of Respondents' attorneys, Alison Hayden from Brown, Hay & Stephens, LLP who advised that she does not have an objection to

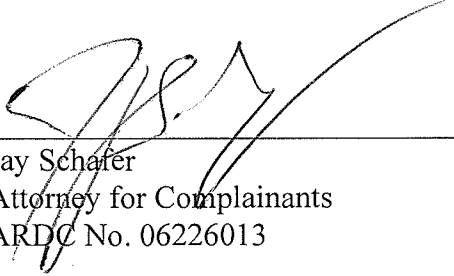
continuing the October 27, 2008 telephone status conference.

5. This Motion is not made for the purpose of harassment or delay and will not prejudice any party to this action.

WHEREFORE, Complainants pray that the October 27, 2008 telephone status conference be continued to another date.

WINTERS, BREWSTER, CROSBY and SCHAFER LLC

BY

  
Jay Schafer  
Attorney for Complainants  
ARDC No. 06226013


### CERTIFICATE OF MAILING

The undersigned certifies that a copy of the above and foregoing instrument was mailed by depositing the same in a U.S. Post Office Box in the City of Marion, Illinois, postage fully prepaid and addressed to:

Ms. Alison K. Hayden  
Ms. Claire Manning &  
Mr. Scott Helmolz  
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205 S. Fifth Street, Suite 700  
P.O. Box 2459  
Springfield, IL 62705

Ms. Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, IL 62794-9274

Dated this 22<sup>nd</sup> day of October, 2008.

  
Amanda Hajewski

WINTERS, BREWSTER, CROSBY and SCHAFER, LLC  
Attorneys at Law  
111 West Main, P.O. Box 700  
Marion, IL 62959  
Phone: (618)997-5611  
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**STATE OF ILLINOIS  
Pollution Control Board**

**PCB 07-145**

**(Citizens Enforcement-Noise)**

**ORDER GRANTING COMPLAINANTS' MOTION TO CONTINUE  
THE OCTOBER 27, 2008 TELEPHONE STATUS CONFERENCE**

THIS MATTER coming on Complainants' Motion to Continue the October 27, 2008 Telephone Status Conference and the hearing officer having reviewed said Motion and being fully advised in the premises thereof, HEREBY GRANTS Complainants Motion. The October 27, 2008 telephone status conference shall be continued to the \_\_\_\_\_ day of \_\_\_\_\_, 2008, with \_\_\_\_\_ to initiate the call.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
CAROL WEBB, PRESIDING OFFICER

**WINTERS, BREWSTER, CROSBY AND SCHAFER LLC**

*ATTORNEYS AT LAW*  
111 West Main, P.O. Box 700  
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JOHN S. BREWSTER  
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\* Also licensed in Missouri

October 21, 2008

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EMAIL: winlaw@winterslaw.com

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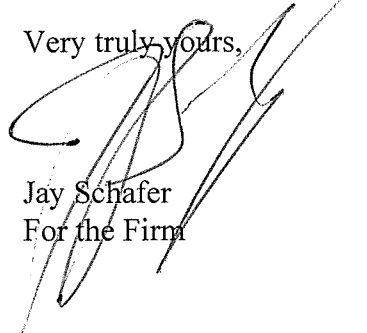
Clerk of the Illinois Pollution Control  
100 W. Randolph  
Suite 11-500  
Chicago, IL 60601

RE: Grant, Donald; Grant, Randy & Wallace, Patricia v Mach Mining LLC  
Case No. PCB No. 2007-145 & 08-MR-37, Illinois Pollution Control Board;  
Johnson County, IL  
WBCS No. 8-236-PJS

Dear Clerk:

Enclosed you will find an original and one copy of Entry of Appearance, Motion to Continue and proposed Order in the above referenced matter. Please file the originals and return the file-stamped duplicates to me in the self-addressed, preposted envelope enclosed for this purpose. Thank you for your courtesy and cooperation in this matter.

Very truly yours,



Jay Schafer  
For the Firm

PJS:ag

cc: Ms. Alison K. Hayden, Ms. Claire Manning & Mr. Scott Helmolz  
Ms. Carol Webb