

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

**NOTICE OF FILING**

To: See Attached Service List

PLEASE TAKE NOTICE that the undersigned has, on this 1<sup>st</sup> day of April, 2009, caused to be filed with the Clerk of the Illinois Pollution Control Board, via electronic filing, the attached Exhibit List on behalf of Intervenor, Kendall County, Illinois, a copy of which is attached hereto .

Respectfully submitted,

Kendall County, Illinois

By: /s/James S. Harkness

James F. McCluskey (ARDC No. 3124754)  
James S. Harkness (ARDC No. 6237256)  
Momkus McCluskey, LLC  
1001 Warrenville Road, Suite 500  
Lisle, IL 60532  
Tel: (630) 434-0400  
Fax: (630) 434-0444  
jfmcccluskey@momlaw.com  
jharkness@momlaw.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

**SERVICE LIST**

For Petitioner

**George Mueller**  
 Mueller Anderson, P.C.  
 609 Etna Road  
 Ottawa, IL 61350  
 Tel: (815) 431-1500  
 Fax: (815) 431-1501  
 E-mail: george@muelleranderson.com

**Charles F. Helsten**  
**Richard Porter**  
 Hinshaw & Culbertson, LLP  
 100 Park Avenue  
 Rockford, IL 61101  
 Tel: (815) 490-4900  
 Fax: (815) 490-4901  
 Email: chelsten@hinshawlaw.com  
 rporter@hinshawlaw.com

For Friends of Greater Yorkville

**James Knippen**  
 Walsh Knippen Knight & Pollick  
 2150 Manchester Road  
 Suite 200  
 Wheaton, IL 60187-2476

For Village of Plainfield

**James Harvey**  
 Buck, Hutchison & Ruffle  
 2455 Glenwood Avenue  
 Joliet, Illinois 60435  
 T: (815) 729-4800  
 jim@mckeownlawfirm.com

**Eric C. Weis**  
 Kendall County State's Attorney  
 807 West John Street  
 Yorkville, IL 60560  
 Email: eweis@co.kendall.il.us

For Respondent

**Anthony G. Hopp**  
**Thomas I. Matyas**  
**Leo P. Dombrowski**  
 Wildman, Harrold, Allen & Dixon, LLP  
 225 West Wacker Drive, 30<sup>th</sup> Floor  
 Chicago, IL 60606  
 Tel: (312) 201-2000  
 Gen Fax: (312) 201-2555  
 Fax: (312) 416-4751 (A.Hopp)  
 E-mail: hopp@wildman.com  
 matyas@wildman.com  
 dombrowski@wildman.com

Hearing Officer

**Bradley P. Halloran**  
 Illinois Pollution Control Board  
 James R. Thompson Center  
 100 West Randolph Street  
 Suite 11-500  
 Chicago, IL 60601  
 Email: hallorab@ipcb.state.il.us

**PROOF OF SERVICE**

Under penalties as provided by law, pursuant to Section 1-109 of the Code of Civil Procedure, Jessica Tosh, the undersigned non-attorney certifies that she served a true and correct copy of the foregoing Notice of Filing and Exhibit List on behalf of Intervenor Kendall County, Illinois on the Hearing Officer and all Counsel of Record via e-mail transmission on April 1, 2008, prior to 5:00 p.m.

\_\_\_\_\_  
/s/ Jessica Tosh

Jessica Tosh

James F. McCluskey (ARDC 3124754) (jfmcccluskey@momlaw.com)  
James S. Harkness (ARDC 6237256) (jharkness@momlaw.com)  
MOMKUS McCLUSKEY, LLC  
1001 Warrenville Road, Suite 500  
Lisle, IL 60532  
Tel: (630) 434-0400  
Fax: (630) 434-0444  
Attorneys for Intervenor Kendall County, Illinois

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

**KENDALL COUNTY'S EXHIBIT LIST**

NOW COMES, Intervenor, KENDALL COUNTY, ILLINOIS ("Kendall County"), by and through its attorneys, MOMKUS McCLUSKEY, LLC, and submits the following list of exhibits that it presently believes that it may introduce at hearing on this matter. These exhibits are exclusive of those Kendall County may offer for purposes of impeachment or rebuttal.

1. All documents produced by any party in this appeal.
2. All documents in the Record on Appeal; and
3. All transcripts and depositions taken in this appeal.

Respectfully submitted,

By: /s/James S. Harkness  
James S. Harkness

James F. McCluskey (ARDC No. 3124754)  
James S. Harkness (ARDC No. 6237256)  
Momkus McCluskey, LLC  
1001 Warrenville Road, Suite 500  
Lisle, IL 60532  
Tel: (630) 434-0400  
Fax: (630) 434-0444  
jfmcccluskey@momlaw.com  
jharkness@momlaw.com