

ILLINOIS POLLUTION CONTROL BOARD
August 31, 2010

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AUG 31 2010

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
Complainant,)
v.) PCB 07-53
MOLINE PLACE DEVELOPMENT, L.L.C.,) (Enforcement - Water)
Respondent.)
)
)
)
)

ORIGINAL

HEARING OFFICER ORDER

On August 27, 2010, respondent's new attorney, Mr. Randall V. TeWinkle filed a motion for an extension of time to file a response to complainant's February 24, 2010 motion for summary judgment. Mr. TeWinkle requests until "September 25, 2010 or to a time the Board deems just."

On August 30, 2010, complainant filed an objection to the request for extension of time, noting that respondent has gone through several attorneys, and been given 5 months of additional time to respond to the motion.

On August 31, 2010, the Board requested that the hearing officer handle this matter. The hearing officer agrees with complainant that respondent has failed to act in a diligent manner, and has relied on delay tactics to postpone the disposition of this case. Mr. TeWinkle shall have 14 days from the date of this order (September 14, 2010) to file a response to the motion for summary judgment. Respondent is advised that no further extensions of time will be granted for this attorney or for any future attorney it may retain.

The parties are reminded to participate in a telephone status conference with the hearing officer at 10:00 a.m. on October 12, 2010. The status conference shall be initiated by the complainant.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274

Springfield, Illinois 62794-9274
webbc@ipcb.state.il.us

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on August 31, 2010, 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 August 31, 2010:

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



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