

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 PROFESSIONAL SWINE MANAGEMENT, )  
 LLC, an Illinois limited liability corporation, )  
 HILLTOP VIEW, LLC, an Illinois limited )  
 liability corporation, WILDCAT FARMS, LLC, )  
 an Illinois limited liability corporation, )  
 HIGH-POWER PORK, LLC, an Illinois limited )  
 liability corporation, EAGLE POINT FARMS, )  
 LLC; an Illinois limited liability corporation, )  
 LONE HOLLOW, LLC, an Illinois limited liability )  
 corporation, TIMBERLINE, LLC, an Illinois )  
 limited liability corporation, PRAIRIE STATE )  
 GILTS, LTD, an Illinois corporation, LITTLE )  
 TIMBER, LLC, an Illinois limited liability )  
 corporation, )  
 )  
 Respondents. )

PCB NO. 10-84  
(Enforcement)

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on February 28, 2014, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, MOTION FOR EXTENSION OF COMPLAINANT'S DISCLOSURE DEADLINE, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

500 S. Second St.  
Springfield, IL 62706  
217/782-9031

BY: s/Jane E. McBride  
Jane E. McBride  
Assistant Bureau Chief  
Environmental Bureau



permit staff. The preparation of expert opinion regarding the eight facilities involved in this action as well as Professional Swine Management has required a significant amount of time and effort on the part of the appropriate personnel to review all pertinent files and available information. This work has entailed the application of recently established federal regulations and as such has required an appropriate level of analysis and review. The work has not yet been fully brought to completion.

2. Further, due to a significant transition of personnel in the office of counsel for the Complainant, counsel has continued to have to handle additional caseload responsibilities as well as fulfill new supervisory and management duties. The departure of experienced attorneys, without the benefit of new hires as yet, has resulted in time consuming case reassignment and transitions, which, at times, have entailed the need for significant supervision. These obligations have erratically pulled counsel for the Complainant from her existing case responsibilities.

3. Counsel has not attempted to obtain agreement or a lack of objection to this request for extension from the parties, due to the fact it has already been communicated that at least some of the Respondents will object to any additional request for extension of discovery deadlines. Respondents' counsel have indicated an interest in moving the matter to hearing. Complainant's counsel has countered with the argument that the Respondents' various motions on the pleadings resulted in a three year delay in moving the case to hearing.

4. As indicated in Complainant's previous motion, consistent with her professional responsibility, counsel has not been able to represent that she will not in the future be in the position to require and seek additional time to meet discovery obligations. Despite best efforts, such indeed became the case. There is no hope of assistance from other attorneys in counsel's

office with this matter due to the current staff shortage. Further, in that the subject eight facilities are among the first to which Illinois EPA permit writers are applying the new federal rules, the documentation under consideration for each facility is extensive, and any such first impression exercise requires significant analysis and review, the generation of these opinions has taken time and required coordination among already overburdened agency schedules.

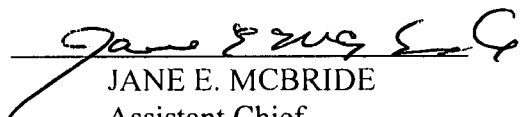
WHEREFORE, on the foregoing grounds and for the foregoing reasons, Complainant respectfully requests a 14-day extension of the March 1, 2014 disclosure deadline set forth in the Hearing Officer Order dated February 3, 2014, to March 14, 2014.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
ex rel. LISA MADIGAN, Attorney General  
of the State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement Division

BY:

  
JANE E. MCBRIDE

Assistant Chief  
Environmental Bureau, South

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**CERTIFICATE OF SERVICE**

I hereby certify that I did on February 28, 2014, cause to be served with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING and MOTION FOR EXTENSION OF COMPLAINANT'S DISCLOSURE DEADLINE upon the persons listed on the Service List.

s/Jane McBride

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JANE McBRIDE

Assistant Bureau Chief

This filing is submitted on recycled paper.

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