ILLINOIS POLLUTION CONTROL BOARD June 27, 2017

JOHNS MANVILLE, a Delaware corporation,)	
Complainant,)	
V.))	PCB 14-3
)	(Citizens Enforcement)
ILLINOIS DEPARTMENT OF)	
TRANSPORTATION,)	
)	
Respondent.)	

HEARING OFFICER ORDER

On June 27, 2017, all parties participated in a telephonic status conference with the hearing officer. With the agreement of the parties, Commonwealth Edison (ComEd), a non-party and recipient of discovery subpoenas from the Illinois Department of Transportation (IDOT), also participated.

Lengthy queries and objections were entertained from all participants regarding ComEd's written motion to quash, IDOT's written response, IDOT's second subpoena served on ComEd and concerns about the possibility of a revised discovery schedule. IDOT and ComEd suggested that further discussion regarding the subpoenas may be fruitful and narrow the issues involved. Johns Manville (JM) requested that they be involved in the discussions. IDOT and ComEd had no objection to JM participating. The parties and ComEd were directed to initiate discussions in an attempt to resolve any outstanding issues pertaining to the subpoenas served on ComEd.

Any and all due dates for discovery and response times for the parties and ComEd are held in abeyance and any revised due dates will be discussed at the next status conference.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on July 11, 2017, at 10:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance.

IT IS SO ORDERED.

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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 Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on June 27, 2017, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on June 27, 2017:

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

Bradly P. 1200-

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

@ Consents to electronic service

SERVICE LIST

PCB 2014-003 @ Matthew D. Dougherty Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764

PCB 2014-003 @ Lauren J. Caisman Bryan Cave LLP 161 N. Clark Street Suite 4300 Chicago, IL 60601-3715

PCB 2014-003 @ Evan J. McGinley Office of the Attorney General 69 W. Washington Street, Suite 1800 Chicago, IL 60602 PCB 2014-003@ Ellen O'Laughlin Office of the Attorney General 69 W. Washington Street, Suite 1800 Chicago, IL 60602

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PCB 2014-003 Alexander J. Bandza Jenner & Block LLP 353 N. Clark Street Chicago, IL 60654

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