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STATE OF ILLINOIS  
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

December 15, 2005

The Honorable Dorothy Gunn  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph  
Chicago, Illinois 60601

Re: ***People v. The Highlands, LLC., et al.***  
**PCB No. 00-104**

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a NOTICE OF FILING and MOTION FOR REVISION OF AGREED DISCOVERY SCHEDULE in regard to the above-captioned matter. Please file the original and return a file-stamped copy of the document to our office in the enclosed, self-addressed envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jane E. McBride", is written over a faint, larger version of the same signature.

Jane E. McBride  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9031

JEM/pp  
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**RECEIVED**  
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DEC 20 2005

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. )  
)  
THE HIGHLANDS, LLC, an Illinois limited )  
liability corporation, and MURPHY )  
FARMS, INC., (a division of MURPHY- )  
BROWN, LLC, a North Carolina limited )  
liability corporation, and SMITHFIELD )  
FOODS, INC., a Virginia corporation), )  
)  
Respondents. )

PCB NO. 00-104  
(Enforcement)

**NOTICE OF FILING**

To: Mr. Jeffrey W. Tock  
Harrington, Tock & Royse  
201 W. Springfield Avenue  
Suite 601  
Champaign, IL 61824-1550

Mr. Charles M. Gering, Esq.  
McDermott, Will & Emery  
227 West Monroe Street  
Chicago, IL 60606-5096

PLEASE TAKE NOTICE that on December 15, 2005, I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, a MOTION FOR REVISION OF AGREED DISCOVERY SCHEDULE, a copy of each 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

BY:   
JANE E. McBRIDE  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: December 15, 2005

## CERTIFICATE OF SERVICE

I hereby certify that I did on December 15, 2005, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and MOTION FOR REVISION OF AGREED DISCOVERY SCHEDULE

To: Mr. Jeffrey W. Tock  
Harrington, Tock & Royse  
201 W. Springfield Avenue, Ste. 601  
P.O. Box 1550  
Champaign, IL 61824-1550

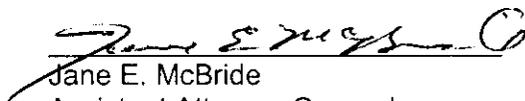
Mr. Charles M. Gering  
McDermott, Will & Emery  
227 West Monroe Street  
Chicago, IL 60606-5096

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
Suite 11-500  
100 West Randolph  
Chicago, Illinois 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid and by facsimile (312) 814-3669

To: Mr. Brad Halloran, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Ste. 11-500  
100 West Randolph  
Chicago, IL 60601

  
Jane E. McBride  
Assistant Attorney General

This filing is submitted on recycled paper.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 THE HIGHLANDS, LLC, an Illinois limited )  
 liability corporation, and MURPHY )  
 FARMS, INC., (a division of MURPHY- )  
 BROWN, LLC, a North Carolina limited )  
 liability corporation, and SMITHFIELD )  
 FOODS, INC., a Virginia corporation). )  
 )  
 Respondents. )

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 Pollution Control Board  
 PCB No. 00-107  
 (Enforcement)

**MOTION FOR REVISION OF AGREED DISCOVERY SCHEDULE**

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, and with the agreement and approval of the Respondents THE HIGHLANDS, LLC, and MURPHY FARMS, INC., moves for the following revision of the agreed discovery schedule. Complainant so moves for the following reasons:

1. There has been a delay in the transfer of copies of documents between the parties. There is not a dispute regarding production at this point, there simply has been a delay in the parties ability to get all documents properly transferred between them.
2. This delay has resulted in a delay in the parties' ability to properly prepare for the next stage of discovery, which is deposition of fact witnesses.
3. Complainant, with the agreement of the Respondents, therefore respectfully requests a two month extension of the fact witness deposition deadline.
4. Complainant hereby submits the following revised proposed agreed discovery schedule for the continuing litigation between the parties:

Deposition of fact witnesses completed by all parties	February 15, 2006
Complainant to disclose opinion and expert witnesses and opinions	March 15, 2006
Respondent to disclose opinion and expert witnesses and opinions	April 14, 2006
Depositions of all opinion and expert witnesses completed by all parties	May 17, 2006
All written discovery completed and responses served	June 16, 2006

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

BY:   
JANE E. MCBRIDE  
Assistant Attorney General

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Springfield, Illinois 62706  
(217) 782-9031  
Dated: December 15, 2005