

ILLINOIS POLLUTION CONTROL BOARD

May 27, 2009

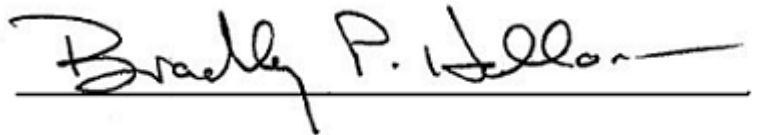
MIDWEST GENERATION EME, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB 04-185
)	(Trade Secret Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

HEARING OFFICER ORDER

On May 21, 2009, all parties participated in a telephonic status conference with the hearing officer. The parties represented that they will draft a stipulation of facts on or before July 30, 2009. The stipulation of facts may narrow some of the issues, including the discovery issues raised in the petitioner's interlocutory appeal. The parties also represented that they anticipate a joint motion to consolidate to be filed within the next 14 days.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on July 30, 2009, at 1:15 p.m. The telephonic status conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.



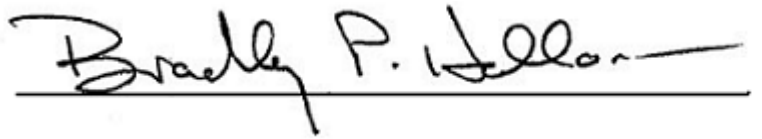
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
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Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 27, 2009, 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 May 27, 2009:

John T. Therriault
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A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

Bradley P. Halloran
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