

ILLINOIS POLLUTION CONTROL BOARD  
April 12, 2011

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STATE OF ILLINOIS  
Pollution Control Board

PETER ARENOVICH, )  
 )  
 Complainant, )  
 )  
 v. ) PCB 09-102  
 ) (Citizens Enforcement – Noise)  
 ILLINOIS STATE TOLL HIGHWAY )  
 AUTHORITY, )  
 )  
 Respondent. )

ORIGINAL

**HEARING OFFICER ORDER**

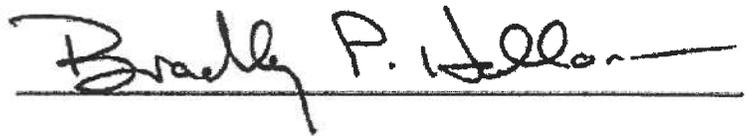
On April 5, 2011, the respondent filed a motion for leave to file a reply in support of its motion for summary judgment. Respondent's motion for summary judgment was filed on December 23, 2010. Instead of filing his response and after a two month extension of time to file his response, the complainant filed a document entitled "Motion For Judgment" on March 28, 2011.

The Board's procedural rules provide that "[w]ithin 14 days after service of a motion, a party may file a response to the motion... Unless undue delay or material prejudice would result, neither the Board nor the hearing officer will grant any motion before expiration of the 14 day response period ..." 35 Ill. Adm. Code 101.500(d). To date, complainant has not filed a response to respondent's motion for leave to file a reply. The hearing officer finds that no material prejudice will result from not allowing the 14-day response time to run and will address the motion to file a reply.

The respondent's motion is granted and its reply is now due to be filed on or before April 29, 2011.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on June 9, 2011, at 9:30 a.m. The status conference must be initiated by the complainant, 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

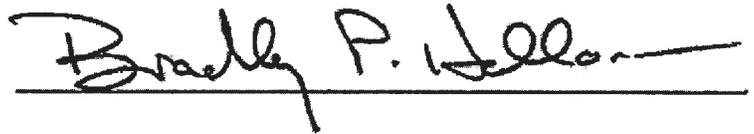
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on April 12, 2011, 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 April 12, 2011:

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

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

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

PCB 2009-102  
Robert T. Lane  
The Illinois State Toll Highway Authority  
2700 Ogden Avenue  
Downers Grove, IL 60515

PCB 2009-102  
\*  
The Illinois State Toll Highway Authority  
2700 Ogden Avenue  
Downers Grove, IL 60515

PCB 2009-102  
\*  
Peter Arendovich  
1388 Gordon Lane  
Lemont, IL 60439