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JAN 26 2012

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

January 26, 2012

INDIAN CREEK DEVELOPMENT)
COMPANY, an Illinois partnership,)
individually as beneficiary under trust 3291 of)
the Chicago Title and Trust Company, dated)
December 15, 1981 and the Chicago Title and)
Trust Company, as trustee under trust 3291,)
dated December 15, 1981,)

Complainant,)

v.)

The BURLINGTON NORTHERN SANTA FE)
RAILWAY COMPANY, a Delaware)
corporation,)

Respondent.)

PCB 07-44
(Citizens Enforcement – Land, Water)

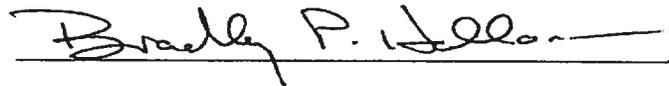
ORIGINAL
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HEARING OFFICER ORDER

On January 26, 2012, a telephonic status conference was held. The parties stated that they are working on some outstanding discovery issues and are hopeful they will be resolved. The parties intend to keep the discovery in this matter with a matter now in circuit court. Will revisit the discovery schedule at the next status conference if needed.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on March 22, 2012, at 11:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for their 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.



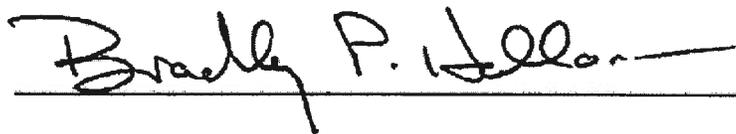
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on January 26, 2012, 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 January 26, 2012:

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 that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above 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 2007-044
Burlington Northern and Santa Fe Railway
Company
R/A CT Corporation System
208 S. LaSalle Street
Chicago, IL 60604

PCB 2007-044
Richard T. Sikes.
Daley Mohan Groble, P.C.
55 W. Monroe
Suite 1600
Chicago, IL 60603

PCB 2007-044
Pamela Nehring.
Daley Mohan Groble, P.C.
55 W. Monroe
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PCB 2007-044
Andrew Foreman
Daley Mohan Groble, P.C.
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PCB 2007-044
Stuart A. Petersen
Law Office of Stuart A. Petersen, Ltd.
601 N. Farnsworth
Aurora, IL 60505

PCB 2007-044
Richard S. Porter
Hinshaw & Culbertson
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Rockford, IL 61105-1389

PCB 2007-044
Charles F. Helsten
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