

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter Of:)	
)	
JOHNS MANVILLE, a Delaware)	
corporation,)	
)	
JM,)	PCB No. 14-3
)	
v.)	
)	
ILLINOIS DEPARTMENT OF)	
TRANSPORTATION,)	
)	
Respondent.)	

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on February 8, 2018, I caused to be filed with the Clerk of the Pollution Control Board of the State of Illinois, *Complainant's Proposed Revised Discovery Schedule*, a copy of which is attached hereto and herewith served upon you via e-mail. Paper hardcopies of this filing will be made available upon request.

Dated: February 8, 2018

Respectfully submitted,

BRYAN CAVE LLP

Attorneys for Johns Manville

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ILLINOIS DEPARTMENT OF TRANSPORTATION,)	
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COMPLAINANT’S PROPOSED REVISED DISCOVERY SCHEDULE

Complainant JOHNS MANVILLE (“JM”), pursuant to the Hearing Officer’s January 17, 2018 Order, hereby submits its Proposed Revised Discovery Schedule as follows:

Given the Board’s grant of JM’s and ComEd’s Motions for Protective Order, the Board’s denial of IDOT’s motion to require JM to produce a witness for a second deposition (*see* December 21, 2017 Opinion and Order of the Board), and the anticipated denial of IDOT’s Motion for Reconsideration, JM believes that fact discovery has closed and proposes to move forward with expert discovery according to the following schedule. JM believes this schedule best accomplishes the Hearing Officer’s earlier mandate to “make every effort to keep discovery on appropriate relief focused and orderly and to avoid undue delays in proceeding to the second hearing in this case.” (May 25, 2017 Hearing Officer Order, p. 3.)

Deadline for JM to file expert report(s): **March 22, 2018**

Deadline for completion of deposition(s) of JM’s expert(s): **April 12, 2018**

Deadline for IDOT to file expert report(s): **May 3, 2018**

Deadline for completion of deposition(s) of IDOT’s expert(s): **May 24, 2018**

Electronic Filing: Received, Clerk's Office 2/8/2018

Deadline for JM to file expert rebuttal report: **June 14, 2018**

Deadline for completion of deposition(s) of JM's rebuttal expert: **July 5, 2018**

Deadline to file prehearing motions, including motions *in limine*: **July 26, 2018**

Deadline to file responses to prehearing motions: **August 9, 2018**

Hearing: **Week of October 29, 2018**

WHEREFORE, Complainant JOHNS MANVILLE respectfully requests that the Hearing Officer enter an Order consistent with this Proposed Revised Discovery Schedule.

Dated: February 8, 2018

Respectfully submitted,

BRYAN CAVE LLP

Attorneys for Complainant Johns Manville

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on February 8, 2018, I caused to be served a true and correct copy of *Complainant's Proposed Revised Discovery Schedule* upon all parties listed on the Service List by sending the documents via e-mail to all persons listed on the Service List, addressed to each person's e-mail address.

 /s/ Lauren J. Caisman
Lauren J. Caisman

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