

ILLINOIS POLLUTION CONTROL BOARD
March 10, 2016

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STATE OF ILLINOIS
Pollution Control Board

SUSAN M. BRUCE,)
)
Complainant,)
)
v.) PCB 15-139
) (Citizens Enforcement – Water)
HIGHLAND HILLS SANITARY DISTRICT,)
)
Respondent.)

 ORIGINAL

HEARING OFFICER ORDER

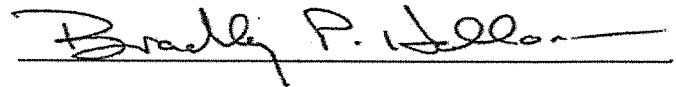
On March 10, 2016, all parties participated in a telephonic status conference with the hearing officer. Discussions first addressed Highland Hills Sanitary District's "Motion To Strike Or In The Alternative Reply To Complainant's Response To Motion To Strike", filed February 29, 2016. I granted Highland Hills motion for leave to file a reply. Counsel for Susan Bruce had no objection. Counsel for Highland Hills stated that the argument it would advance in its reply is found in paragraphs 7 & 8 of its motion. The Board is asked to consider paragraphs 7 & 8 of Highland Hills motion as its reply.

Next, Highland Hills stated that a misunderstanding regarding discovery service dates was apparent in my order of March 8, 2016. Highland Hills was not served with written discovery *via* United States Mail on February 17, 2016, as reflected in my order. Order at 2-3. Instead, Counsel for Susan Bruce did not serve notice of serving discovery *via* United States Mail until February 29, 2016. Service is presumed complete four days after mailing, or March 3, 2016. Section 101.300 (c) of the Board's procedural rules. I therefore amend my March 8, 2016 order and extend the deadline to serve non-expert discovery *nunc pro tunc* to March 3, 2016. The extended service date does not alter my ruling denying Highland Hills motion to quash.

The parties requested that all discovery dates be held in abeyance while they revisit the alleged violations found in the complaint, or at least until the Board rules on the substantive motions before it.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on March 23, 2016, at 10:00 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

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.

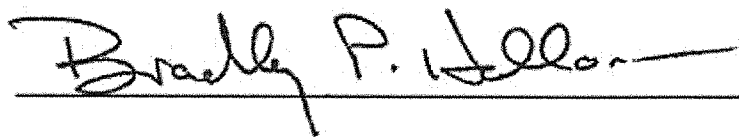
Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on March 10, 2016, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on March 10, 2016:

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 horizontal line.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
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