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DEC - 9 2003

STATE OF ILLINOIS
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 5, 2003

The Honorable Dorothy Gunn
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph
Chicago, Illinois 60601

Re: **People v. The Highlands, LLC., et al.**
PCB No. 00-104

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a NOTICE OF FILING and PROPOSED AGREED DISCOVERY SCHEDULE FOR COMPLAINANT AND RESPONDENT HIGHLANDS in regard to the above-captioned matter. Please file the original and return a file-stamped copy of the document to our office in the enclosed self-addressed, stamped envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Jane E. McBride".

Jane E. McBride
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 782-9031

JEM/pp
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DEC - 9 2003

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 THE HIGHLANDS, LLC, an Illinois limited)
 liability corporation, MURPHY FARMS, INC.,)
 a/k/a MURPHY FAMILY FARMS, a North)
 Caroline corporation, and BION)
 TECHNOLOGIES, INC., a Colorado corp.,)
)
 Respondents.)

STATE OF ILLINOIS
Pollution Control Board

PCB NO. 00-104
(Enforcement)

NOTICE OF FILING

To: Mr. Jeffery W. Tock
 Harrington, Tock & Royse
 201 W. Springfield Ave.
 P.O. Box 1550
 Champaign, IL 61824-1500

Mr. Charles M. Gering, Esq.
 McDermott, Will & Emery
 227 West Monroe Street
 Chicago, IL 60606-5096

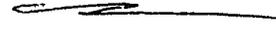
PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, PROPOSED AGREED DISCOVERY SCHEDULE FOR COMPLAINANT AND RESPONDENT HIGHLANDS, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
 Attorney General of the
 State of Illinois

MATTHEW J. DUNN, Chief
 Environmental Enforcement/Asbestos
 Litigation Division

BY: 
 THOMAS DAVIS, Chief
 Assistant Attorney General
 Environmental Bureau

Of Counsel
 Jane E. McBride
 500 South Second Street
 Springfield, Illinois 62706
 217/782-9031
 Dated: December 5, 2003

CERTIFICATE OF SERVICE

I hereby certify that I did on December 5, 2003, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and PROPOSED AGREED DISCOVERY SCHEDULE FOR COMPLAINANT AND RESPONDENT HIGHLANDS

To: Mr. Jeffery W. Tock
Harrington, Tock & Royse
201 W. Springfield Ave.
P.O. Box 1550
Champaign, IL 61824-1500

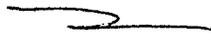
Mr. Charles M. Gering, Esq.
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606-5096

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601
(Also by Facsimile (312) 814-3669)

A copy was also sent by First Class Mail with postage thereon fully prepaid

To: Mr. Brad Halloran, Hearing Officer
Illinois Pollution Control Board
State of Illinois Center, Ste. 11-500
100 West Randolph
Chicago, IL 60601
(Also by Facsimile (312) 814-3669)



Thomas Davis, Chief
Assistant Attorney General
Environmental Bureau

Of Counsel
JANE E. McBRIDE
Assistant Attorney General

This filing is submitted on recycled paper.

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS)
)
 Complainant,)
)
 v.)
)
 THE HIGHLANDS, LLC, an Illinois limited)
 liability corporation, and MURPHY)
 FARMS, INC., (a division of MURPHY-)
 BROWN, LLC, a North Carolina limited)
 liability corporation, and SMITHFIELD)
 FOODS, INC., a Virginia corporation).)
)
 Respondents.)

STATE OF ILLINOIS
Pollution Control Board

PCB No. 00-104
(Enforcement)

**PROPOSED AGREED DISCOVERY SCHEDULE FOR
COMPLAINANT AND RESPONDENT HIGHLANDS**

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, and Respondent THE HIGHLANDS, LLC and submit the following proposed agreed discovery schedule for the continuing litigation between these two parties:

- | | |
|--|---------------|
| All parties submit responses for all outstanding written discovery | March 1, 2004 |
| Complainant shall disclose opinion witnesses and opinions | March 1, 2004 |
| Respondent Highlands shall disclose opinion witnesses and opinions | April 1, 2004 |
| Depositions completed by all parties | July 1, 2004 |

All written discovery filed and served

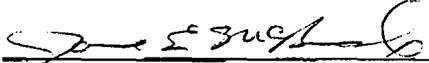
August 1, 2004

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 

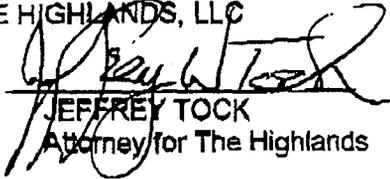
JANE E. MCBRIDE
Assistant Attorney General

500 South Second Street
Springfield, Illinois 62706
(217) 782-9031

Dated: December 3, 2003

12/4/03

THE HIGHLANDS, LLC

BY: 
JEFFREY TOCK
Attorney for The Highlands

Harrington Tock & Royse
201 W. Springfield Ave.
Suite 601
PO Box 1550
Champaign, IL 61824-1550

Date: 12/4/03