

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

BYRON SANDBERG,)

Petitioner,)

vs.)

CITY OF KANKAKEE, ILLINOIS, THE CITY OF)
KANKAKEE, ILLINOIS CITY COUNCIL, TOWN)
AND COUNTRY UTILITIES, INC., and)
KANKAKEE REGIONAL LANDFILL, L.L.C.,)

Respondents.)
-----)

Case No. PCB 04-33

WASTE MANAGEMENT OF ILLINOIS, INC.,)

Petitioner,)

vs.)

THE CITY OF KANKAKEE, ILLINOIS CITY)
COUNCIL, TOWN AND COUNTRY UTILITIES,)
INC., and KANKAKEE REGIONAL LANDFILL,)
L.L.C.,)

Respondents.)
-----)

Case No. PCB 04-34

COUNTY OF KANKAKEE, ILLINOIS and)
EDWARD D. SMITH, KANKAKEE COUNTY)
STATE'S ATTORNEY,)

Petitioners,)

vs.)

CITY OF KANKAKEE, ILLINOIS, THE CITY OF)
KANKAKEE, ILLINOIS CITY COUNCIL, TOWN)
AND COUNTRY UTILITIES, INC., and)
KANKAKEE REGIONAL LANDFILL, L.L.C.,)

Respondents.)
-----)

Case No. PCB 04-35

MOTION TO COMPEL

NOW COME the Petitioners, COUNTY OF KANKAKEE, ILLINOIS and EDWARD D. SMITH, KANKAKEE COUNTY STATE'S ATTORNEY, and for their Motion to Compel, states as follows:

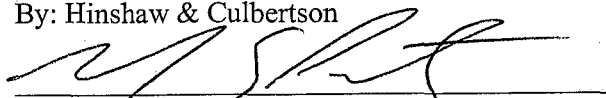
1. On October 17, 2003, the COUNTY OF KANKAKEE issued Interrogatories and Production Request to the CITY OF KANKAKEE and Town in County Utilities, Inc.
2. On November 7, 2003, the CITY OF KANKAKEE telefaxed responses to the Interrogatories, by the COUNTY OF KANKAKEE, but did not respond to the Production Request.
3. At no time has the CITY OF KANKAKEE filed an objection to the Production Requests.
4. The depositions of the CITY OF KANKAKEE personnel have presently been set for Friday, November 14, 2003, and it is important that the COUNTY OF KANKAKEE have the responses to the Production Request before these depositions commence.

WHEREFORE, the Defendant, COUNTY OF KANKAKEE, respectfully requests that Officer Holleran order the CITY OF KANKAKEE to respond to the Defendant's Production Request in the next 24 hours.

Respectfully Submitted,

On behalf of the COUNTY OF KANKAKEE,
ILLINOIS, and EDWARD D. SMITH, KANKAKEE
COUNTY STATE'S ATTORNEY,

By: Hinshaw & Culbertson



Richard S. Porter
One of Attorneys

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AFFIDAVIT OF SERVICE

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on November 7, 2003, a copy of the foregoing was served upon:

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By faxing and by depositing a copy thereof, enclosed in an envelope in the United States Mail at Rockford, Illinois, proper postage prepaid, before the hour of 5:00 P.M., addressed as above.



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