

ILLINOIS POLLUTION CONTROL BOARD  
December 15, 2004

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 00-104  
) (Enforcement - Air)  
THE HIGHLANDS, L.L.C. and MURPHY )  
FARMS, INC. (a division of MURPHY )  
BROWN, LLC, a North Carolina limited )  
liability corporation, and SMITHFIELD )  
FOODS, INC., a Virginia corporation), )  
)  
Respondents. )

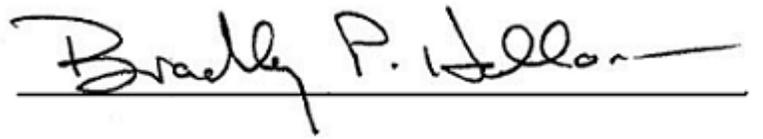
**HEARING OFFICER ORDER**

On December 9, 2004, all parties participated in a telephonic status conference with the hearing officer. Complainant and the respondent Murphy Farms, Inc. (Murphy Farms) represented that they are proceeding with the motion to dismiss pleadings and continue settlement discussions. Discovery as to complainant and Murphy Farms have been stayed pending the outcome of the motion to dismiss.

On December 9, 2004, the complainant and respondent The Highlands, L.L.C., (Highlands) submitted a written proposed and revised discovery schedule. The proposed discovery schedule is accepted to the extent as follows: all written responses for outstanding written discovery are due to be served on or before February 14, 2005; complainant must disclose opinion witnesses and opinions on or before February 14, 2005; respondent Highlands must disclose opinion witnesses and opinions on or before March 14, 2005; all depositions between respondent Highlands and the complainant completed on or before June 14, 2005; all written discovery between Highlands and the complainant served on or before July 14, 2005; responses to written discovery between Highlands and the complainant to be served on or before August 19, 2005.

The parties are directed to participate in a telephonic status conference with the hearing officer on March 3, 2005, at 10:00 a.m. The status conference must be initiated by the complainant, but each party is nonetheless responsible for its 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.

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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Chicago, Illinois 60601  
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