

ILLINOIS POLLUTION CONTROL BOARD  
December 6, 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. )

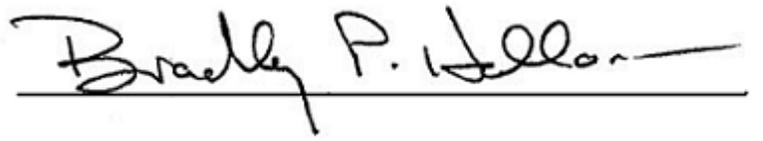
**HEARING OFFICER ORDER**

On December 1, 2004, the respondent Murphy Farms, Inc. (Murphy Farms) made an oral motion to file a leave to reply to complainant's response to Murphy Farms motion to dismiss. Murphy Farms requested that it be given three weeks to reply. The complainant objected. Further, complainant requested that if Murphy Farms was granted leave to reply, that it be given an opportunity to respond.

Murphy Farms motion is granted to the extent that its reply must be filed on or before December 16, 2004. Complainant's request is denied at this time as it is premature.

The parties are directed to participate in a telephonic status conference with the hearing officer on December 9, 2004, at 11:15 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  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917