

ILLINOIS POLLUTION CONTROL BOARD
November 7, 1991

THE CITY OF MORRIS,)
)
) Petitioner,)
) v.) PCB 86-4
) (CSO Exception)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by J.D. Dumelle):

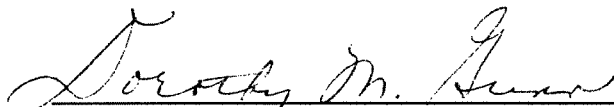
On October 29, 1991, the City of Morris filed a Request for Consent and a motion for an extension of time. Pursuant to our Order of April 7, 1988, the City was required to submit an Amended Petition for Exception by November 1, 1991. In preparing for this deadline, the City hired Michael J. Maher, a former employee of the Board, for representation in this matter. As an employee of the Board, Mr. Maher may have participated in drafting the Orders of April 7, 1988 and May 19, 1988.

Rules 1.11 and 1.12 of the Illinois Rules of Professional Conduct require disclosure to all parties and written consent to an attorney's representing a client whenever the lawyer personally and substantially participated in the matter when previously employed at a governmental agency or in the capacity of a law clerk.

Because Mr. Maher has provided the written approval of all parties as to his participation in this matter, the motion is granted. Additionally, due to the fact that counsel could not file a substantive motion prior to this Board's ruling, an extension of time is also granted. The City of Morris shall file its Amended Petition for Exception by December 2, 1991.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 7th day of November, 1991 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board