

1 BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

2

IN THE MATTER OF: )

3 )

ANTONIO D.H. NAM, )

4 )

Complainant, )

5 )

vs )

PCB 97-234

6 )

KIKON SUH, )

7 )

Respondent. )

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13 Record of Proceedings taken before

14 John Knittle, Hearing Officer, at 100 West

15 Randolph Street, Room 11-512, Chicago, Illinois,

16 taken before GEANNA M. IAQUINTA, CSR, a notary

17 public within and for the County of Cook and State

18 of Illinois, and taken on the 4th day of April

19 2000 at 9:30 a.m.

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1 APPEARANCES:

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4 ILLINOIS POLLUTION CONTROL BOARD

5 100 West Randolph Street

6 Room 11-512

7 Chicago, Illinois 60601

8 BY: MR. JOHN KNITTLE

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13 ALSO PRESENT:

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15 Ms. Gertrude Kelly

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1 HEARING OFFICER KNITTLE: Hello. My name  
2 is John Knittle. I'm a hearing officer with the  
3 Illinois Pollution Control Board. I'm also the  
4 assigned hearing officer for this matter, which is  
5 Nam v. Suh, Pollution Control Board 97-234. I'll  
6 give you a caption if you want later.

7 I am in receipt of a faxed  
8 transmission, which I allowed, that came in last  
9 night. It's a motion, a notice of filing, and a  
10 complaint in this matter. It looks to be a motion  
11 for leave to file a third-party complaint  
12 instanter and the third-party complaint.

13 I've talked to both parties. They've  
14 agreed in light of this third-party complaint,  
15 which is to be filed to continue this case. So  
16 we're going to cancel this hearing today.

17 I informed the respondent -- the  
18 attorney for the respondent that a written motion  
19 to continue the hearing was necessary in order to

20 continue this hearing. He informed me that one  
21 would be filed.

22 I thought it would be included with  
23 this fax. It may have been. We had some problems  
24 with the fax transmission and not all the pages

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1 are actually here. So I'm going to assume that  
2 this written motion will be forthcoming. If not,  
3 I'm going to make them file a written motion and  
4 we are continuing this hearing.

5 We are, however, in light of the fact  
6 that this has been noticed up publicly, going to  
7 stay on the record for a half hour in hopes that  
8 somebody from the public may want to come and  
9 provide public comment.

10 I also should note for the record  
11 that one Gertrude Kelly is present and attending.  
12 Gertrude, do you have anything you want to say?

13 MS. KELLY: No. Thank you.

14 HEARING OFFICER KNITTLE: All right.

15 Let's go off the record for a half hour.

16 (Break taken.)

17 HEARING OFFICER KNITTLE: Well, we're back  
18 on the record. It's approximately 10:00 o'clock.  
19 I've talked to the attorney for the respondent,  
20 Jacob Reese, and he has brought in a motion --  
21 what he's done is he brought in the originals for  
22 the motion for leave to file a third-party  
23 complaint instanter, and he also amended it to  
24 read and to continue or cancel the hearing.

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1 So we now have a written motion to  
2 continue the hearing which will be filed today.  
3 Unfortunately, he didn't have the requisite number  
4 of copies. So he's going to go make the copies  
5 and come back and file that today.

6 I have a hearing officer copy in  
7 front of me, and in light of that and his  
8 assertion that he will be returning today to  
9 appropriately and properly file all the pleadings,  
10 the motion for leave to file a third-party  
11 complaint; a motion to continue or to cancel the  
12 hearing, in essence, one motion; the third-party  
13 complaint, and the notice of filing, all those  
14 things will be properly filed today according to

15 Mr. Reese.

16       Based on that and the copy I have in  
17 my hand, I'm going to grant his motion to continue  
18 or cancel the hearing. So this hearing is  
19 cancelled. There have been no members of the  
20 public present wishing to provide comment and,  
21 Geanna, thank you.

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1 STATE OF ILLINOIS )  
                          ) SS.  
2 COUNTY OF C O O K )

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5       I, GEANNA M. IAQUINTA, CSR, do  
6 hereby state that I am a court reporter doing  
7 business in the City of Chicago, County of Cook,  
8 and State of Illinois; that I reported by means of  
9 machine shorthand the proceedings held in the  
10 foregoing cause, and that the foregoing is a true  
11 and correct transcript of my shorthand notes so

12 taken as aforesaid.

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Geanna M. Iaquina, CSR  
Notary Public, Cook County, IL  
Illinois License No. 084-004096

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SUBSCRIBED AND SWORN TO

18 before me this\_\_\_\_\_day

of\_\_\_\_\_, A.D., 2000.

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20 Notary Public

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