

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JOHN AND LINDA MARACIC,)	
)	
Complainant,)	
)	
v.)	PCB No. 05-212
)	(Enforcement – Noise)
TNT LOGISTICS NORTH AMERICA)	
INC.,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Ms. Dorothy M. Gunn	Bradley P. Halloran, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	100 West Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

(PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **MOTION FOR ENTRY OF RESPONDENT'S PROPOSED DISCOVERY SCHEDULE** and proposed **DISCOVERY SCHEDULE**, copies of which are herewith served upon you.

Respectfully submitted,

TNT LOGISTICS NORTH AMERICA INC.,
Respondent,

By: /s/Thomas G. Safley
One of Its Attorneys

Dated: December 16, 2005

Edward W. Dwyer
Thomas G. Safley
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, Thomas G. Safley, the undersigned, hereby certify that I have served the attached MOTION FOR ENTRY OF RESPONDENT'S PROPOSED DISCOVERY SCHEDULE and proposed DISCOVERY SCHEDULE upon:

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on December 16, 2005; and upon:

Bradley P. Halloran, Esq.
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Mr. John Maracic
Mrs. Linda Maracic
2850 South Ridgeland Avenue
Monee, Illinois 60449

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on December 16, 2005.

/s/Thomas G. Safley
Thomas G. Safley

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**MOTION FOR ENTRY OF
RESPONDENT'S PROPOSED DISCOVERY SCHEDULE**

NOW COMES Respondent, TNT LOGISTICS NORTH AMERICA INC. ("TNT"), by its attorneys, HODGE DWYER ZEMAN, and for its Motion for Entry of Respondent's Proposed Discovery Schedule, states as follows:

1. On December 1, 2005, the parties participated in a status conference, during which the parties agreed to discuss the filing of a joint proposed Discovery Schedule for the Hearing Officer's consideration.
2. Counsel for Respondent prepared a draft joint proposed Discovery Schedule for Complainants' approval and transmitted the same to Complainants for review. That proposed Discovery Schedule proposed the same deadlines as set forth in TNT's proposed Discovery Schedule filed herewith.
3. Complainants, John and Linda Maracic, have indicated to the undersigned that rather than agree to the dates proposed in the enclosed Discovery Schedule, they intend to submit an alternative proposed Discovery Schedule for the Hearing Officer's consideration.
4. TNT hereby submits the enclosed Discovery Schedule as its proposal for the Hearing Officer's consideration.

WHEREFORE, Respondent, TNT LOGISTICS NORTH AMERICA INC.,
respectfully prays that the Hearing Officer enter its proposed Discovery Schedule filed
herewith and provide it all other relief just and proper in the premises.

Respectfully submitted,

TNT LOGISTICS NORTH AMERICA INC.,
Respondent,

By: /s/Thomas G. Safley
One of Its Attorneys

Dated: December 16, 2005

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TNTL:002/Fil/Maracic Motion for Entry of Discovery Schedule

