

ILLINOIS POLLUTION CONTROL BOARD
December 4, 1997

MORTON COLLEGE BOARD OF)	
TRUSTEES OF ILLINOIS COMMUNITY)	
COLLEGE DISTRICT NO. 527,)	
)	PCB 98-59
Complainant,)	(Enforcement - Land)
)	
v.)	
)	
TOWN OF CICERO,)	
)	
Respondent.)	

ORDER OF THE BOARD (by G.T. Girard):

This matter is before the Board on numerous motions including a motion to dismiss. Today the Board will rule only on the nonsubstantive motions and reserve ruling on the motion to dismiss. Specifically, the Board will rule on the following motions: 1) a November 10, 1997, motion filed by respondent asking the Board to take judicial notice of the respondent's complaint for declaratory and ancillary relief filed in Cook County Circuit Court; 2) a November 19, 1997, motion by complainant asking for time to file a supplement to complainant's response to the motion to dismiss; 3) a November 24, 1997, motion filed by respondent for leave to file a reply to complainant's response to the motion to dismiss.

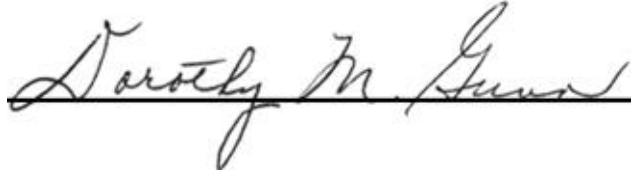
Complainant filed no response to the respondent's November 10, 1997, motion; however, complainant did file a response on November 26, 1997, to respondent's motion for leave to file a reply. Complainant states in the November 26 filing that complainant will not object to the filing of a reply, if the Board grants complainant's November 19 motion for time to file a supplemental response.

On November 24, 1997, respondent filed a response to complainant's November 19 motion. Respondent objects to allowing complainant to file a supplement.

The Board believes that in the interest of ensuring a complete record before the Board rules on the motion to dismiss, all the aforementioned motions should be granted. Therefore, the Board grants the November 10, 1997, motion and the November 24, 1997, motion filed by respondent. The Board also grants the November 19, 1997, motion filed by complainant and accepts the supplement to complainant's response.

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 4th day of December 1997, by a vote of 6-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board