

ILLINOIS POLLUTION CONTROL BOARD  
December 17, 1998

ENVIRONMENTAL SITE DEVELOPERS, )  
INC., an Illinois corporation, )  
 )  
Complainant, )  
 )  
v. ) PCB 96-180  
 ) (Enforcement - Water, Citizens)  
WHITE & BREWER TRUCKING, INC., an )  
Illinois corporation, )  
 )  
Respondent. )

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WHITE & BREWER TRUCKING, INC., an )  
Illinois corporation, )  
 )  
Counterclaimant, )  
 )  
v. ) PCB 96-180  
 ) (Enforcement - Water, Citizens)  
ENVIRONMENTAL SITE DEVELOPERS, ) (Counterclaim)  
INC., an Illinois corporation, )  
 )  
Counterrespondent. )

ORDER OF THE BOARD (by M. McFawn):

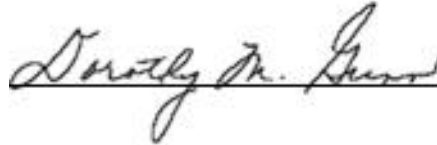
On August 20, 1998, the Board adopted an order staying proceedings in this case until November 18, 1998, while the parties attempted to negotiate a settlement. Two motions were pending when the stay went into effect: White & Brewer Trucking, Inc.'s "Motion for Partial Summary Judgment" and "Motion for Entry of Scheduling Order." The Board's Order of August 20 set November 25, 1998, as the date by which responses to these motions would be due. On November 2, 1998, the parties filed a "Joint Motion to Extend Stay of Proceedings," requesting that proceedings be stayed an additional 90 days, to continue negotiations. On November 20, 1998, Environmental Site Developers, Inc. (ESDI) filed a "Motion for Extension of Briefing Schedule," requesting that the due date for responses to the pending motions be extended to either (a) seven days after the Board's ruling on the joint motion to extend the stay, if the motion was denied, or (b) seven days after expiration of the stay, if the motion was granted.

On November 19, 1998, after ESDI's motion was mailed for filing but before it was received by the Board, the Board adopted an order granting the joint motion for an extension of the stay, extending the stay to February 16, 1999, and setting a new due date of February

23, 1999, for responses to the pending motions. Accordingly, ESDI's "Motion for Extension of Briefing Schedule" is denied as moot.

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 17th day of December 1998 by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board