

ORIGINAL

ILLINOIS POLLUTION CONTROL BOARD
January 31, 2005

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JAN 31 2005

STATE OF ILLINOIS
Pollution Control Board

GINA PATTERMANN,)	
)	
Complainant,)	
)	
v.)	PCB 99-187
)	(Citizens Enforcement - Noise, Air)
BOUGHTON TRUCKING AND)	
MATERIALS,)	
)	
Respondent.)	

HEARING OFFICER ORDER

On January 27, 2005, all parties participated in a telephonic conference. The purpose of the conference was to address the complainant's motion to cancel the hearing filed January 25, 2005. The respondent filed its response to complainant's motion on January 26, 2005.

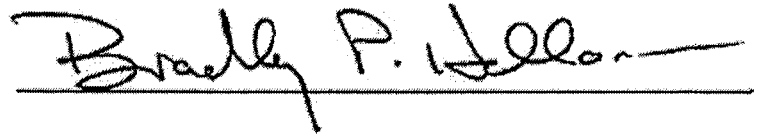
In complainant's motion, she alleges that she would be materially prejudiced if the hearing was not cancelled because there is a pending motion to voluntarily dismiss without prejudice before the Board, filed by the complainant on January 20, 2005. The respondent filed its response on January 25, 2005.

Having read the respective pleadings, the hearing officer finds that complainant has put forth a sufficient argument that she is entitled to a ruling by the Board prior to the hearing going forward. To hold the hearing prior to the Board's decision on complainant's motion to voluntarily dismiss could be at odds with administrative economy should the Board rule otherwise.

The hearing officer grants complainant's motion to cancel the January 31, 2005 and February 1, 2005 hearings.

The parties are directed to participate in a telephonic status conference with the hearing officer on February 23, 2005, at 11:00 a.m. The conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line. The signature is cursive and includes a long horizontal stroke at the end.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
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