

ILLINOIS POLLUTION CONTROL BOARD  
September 16, 2004

TERESA L. SHEPRO, as executor of the )  
estate of JUSTICE W. SHEPRO, deceased, and )  
FRANK WILEMERSLAGE, as beneficiaries )  
under Trust No. 898 of the Chicago Trust )  
Company, )  
 )  
Complainants, )  
 )  
v. ) PCB 04-12  
 ) (Enforcement – Land, Water)  
NEWBY OIL COMPANY, DAVID E. TRIPP, )  
and JANICE L. TRIPP, )  
 )  
Respondents. )

**HEARING OFFICER ORDER**

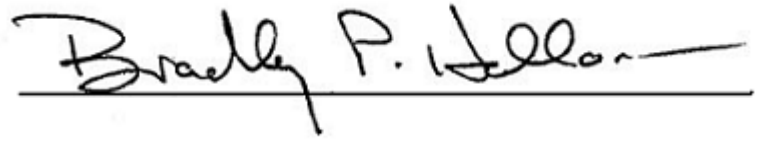
On September 15, 2004, a telephonic status conference was held. Respondent Newby Oil Company did not appear. The complainant represented that discovery is proceeding as scheduled.

On August 25, 2004, complainants filed a motion to file additional appearance. On or about, September 8, 2004, the complainants submitted to the hearing officer a document signed by all parties representing their agreement to file the additional appearance. To that end, complainants' motion to file additional appearance is granted.

Finally, complainants represented that it may file a motion to compel respondents to agree to allow complainants access to the site for soil borings.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on November 9, 2004, at 11:45 a.m. The telephonic status conference must be initiated by the complainants, but each party is nonetheless responsible for its own appearance. At the status 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 that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917