## ILLINOIS POLLUTION CONTROL BOARD July 6, 2005

| PEOPLE OF THE STATE OF ILLINOIS,             | ) |                     |
|--|---|---------------------|
| Compleinant                                  | ) |                     |
| Complainant,                                 | ) |                     |
| v.   | ) | PCB 04-7            |
|  | ) | (Enforcement – Air) |
| 4832 S. VINCENNES, L.P., an Illinois limited | ) |                     |
| partnership, and BATTEAST                    | ) |                     |
| CONSTRUCTION COMPLANY OF                     | ) |                     |
| ILLINOIS, INC., an Illinois corporation,     | ) |                     |
|  | ) |                     |
| Respondents.                                 | ) |                     |

## **HEARING OFFICER ORDER**

On June 23, 2005, all parties participated in a telephonic status conference with the hearing officer. Complainant and respondent Battest Construction Company of Illinois, Inc. are discussing ability to pay the penalty demand. Financial documents are being reviewed. The complainant and respondent 4832 S. Vincennes, L.P., represented that they will submit a revised discovery schedule.

On July 5, 2005, the complainant and respondent 4832 S. Vincennes, L.P., submitted a proposed discovery schedule. The proposed discovery schedule is accepted to the extent as follows: all written discovery to be served and responded to on or before July 30, 2005; oral discovery, including but not limited to, depositions and subpoena duces tecum, must be served on or before August 1, 2005, and completed by August 15, 2005; all discovery must be completed on or before September 1, 2005; dispositive motions must be filed on or before October 1, 2005.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on August 18, 2005, at 10:45 a.m. The telephonic status conference must be initiated by the complainant, 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.

Bradley P. 12000-

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