

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VINCENT AND JENNIFER NERI,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 05-213
	)	(Enforcement – Noise)
TNT LOGISTICS NORTH AMERICA	)	
INC.,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Ms. Dorothy M. Gunn	Bradley P. Halloran, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	100 West Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

**(PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **MOTION FOR ENTRY OF RESPONDENT'S PROPOSED DISCOVERY SCHEDULE** and proposed **DISCOVERY SCHEDULE**, copies of which are herewith served upon you.

Respectfully submitted,

TNT LOGISTICS NORTH AMERICA INC.,  
Respondent,

By: /s/Thomas G. Safley  
One of Its Attorneys

Dated: December 16, 2005

Edward W. Dwyer  
Thomas G. Safley  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**THIS FILING SUBMITTED ON RECYCLED PAPER**

**CERTIFICATE OF SERVICE**

I, Thomas G. Safley, the undersigned, hereby certify that I have served the  
attached MOTION FOR ENTRY OF RESPONDENT'S PROPOSED DISCOVERY  
SCHEDULE and proposed DISCOVERY SCHEDULE upon:

Ms. Dorothy M. Gunn  
Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on December 16, 2005; and upon:

Bradley P. Halloran, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Mr. Vincent Neri  
Mrs. Jennifer Neri  
6530 Lakeview Lane  
Monee, Illinois 60449

by depositing said documents in the United States Mail, postage prepaid, in Springfield,  
Illinois on December 16, 2005.

/s/Thomas G. Safley  
Thomas G. Safley

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VINCENT AND JENNIFER NERI,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 05-213
	)	(Enforcement – Noise)
TNT LOGISTICS NORTH AMERICA	)	
INC.,	)	
	)	
Respondent.	)	

**MOTION FOR ENTRY OF  
RESPONDENT'S PROPOSED DISCOVERY SCHEDULE**

NOW COMES Respondent, TNT LOGISTICS NORTH AMERICA INC.

("TNT"), by its attorneys, HODGE DWYER ZEMAN, and for its Motion for Entry of Respondent's Proposed Discovery Schedule, states as follows:

1. On December 1, 2005, the parties participated in a status conference, during which the parties agreed to discuss the filing of a joint proposed Discovery Schedule for the Hearing Officer's consideration.
2. Counsel for Respondent prepared a draft joint proposed Discovery Schedule for Complainants' approval and transmitted the same to Complainants for review. That proposed Discovery Schedule proposed the same deadlines as set forth in TNT's proposed Discovery Schedule filed herewith.
3. Complainants, Vincent and Jennifer Neri, have indicated to the undersigned that rather than agree to the dates proposed in the enclosed Discovery Schedule, they intend to submit an alternative proposed Discovery Schedule for the Hearing Officer's consideration.
4. TNT hereby submits the enclosed Discovery Schedule as its proposal for the Hearing Officer's consideration.

WHEREFORE, Respondent, TNT LOGISTICS NORTH AMERICA INC.,  
respectfully prays that the Hearing Officer enter its proposed Discovery Schedule filed  
herewith and provide it all other relief just and proper in the premises.

Respectfully submitted,

TNT LOGISTICS NORTH AMERICA INC.,  
Respondent,

By: /s/Thomas G. Safley  
One of Its Attorneys

Dated: December 16, 2005

Edward W. Dwyer  
Thomas G. Safley  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

TNTL:002/Fil/Neri Motion for Entry of Discovery Schedule

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VINCENT AND JENNIFER NERI,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 05-213
	)	(Enforcement – Noise)
TNT LOGISTICS NORTH AMERICA	)	
INC.,	)	
	)	
Respondent.	)	

**DISCOVERY SCHEDULE**

This cause comes before the Hearing Officer on submission by the parties of proposed Discovery Schedules. Having considered the foregoing, and being duly advised, the Hearing Officer now finds that Respondent's proposed Discovery Schedule should be APPROVED, and accordingly, hereby enters the following Discovery Schedule in this matter:

<b><u>DATES</u></b>	<b><u>TASK</u></b>
March 1, 2006	All written discovery served and answered.
April 15, 2006	Complainants' opinion witness(es) and their opinion(s) disclosed.
June 1, 2006	Respondent's opinion witness(es) and their opinion(s) disclosed.
July 1, 2006	Depositions completed.
July 1, 2006	Close of all discovery.

Dated: \_\_\_\_\_  
Hearing Officer

Distribution to: Complainants; counsel for Respondent

TNTL:002/Fil/TNT Proposed Discovery Schedule - Neri