

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

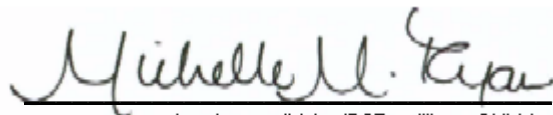
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 06-49
)	
v.)	(IEPA No. 96-06-AC)
)	
MICHAEL GRUEN and JON ERIC)	
GRUEN d/b/a JON'S TREE SERVICE)	
)	
Respondents.)	

NOTICE OF FILING

To: Phillip H. Hamilton
 Farrell, Hunter, Hamilton &
 Julian, P.C.
 1310 D'Adrian Professional Park
 Godfrey, Illinois 62035-1688

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled COMPLAINANT'S RESPONSE TO RESPONDENTS' MOTION TO COMPEL.

Respectfully Submitted,



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
 Special Assistant Attorney General

Illinois Environmental Protection Agency
 1021 North Grand Avenue East
 P.O. Box 19276
 Springfield, Illinois 62794-9276
 (217) 782-5544

Dated: September 14, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
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Complainant,)	AC 06-49
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v.)	(IEPA No. 96-06-AC)
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COMPLAINANT'S RESPONSE TO
RESPONDENTS' MOTION TO COMPEL

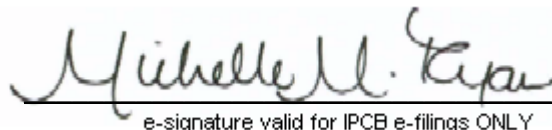
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 101.500, and respectfully states as follows:

- (1) On July 21, 2006, Respondents filed discovery requests on Complainant.
- (2) On August 29, 2006, Complainant's counsel received the Rule 201(k) letter attached to Respondent's motion as Exhibit 2. As such, Complainant was unable to meet the August 28 deadline for a response stated in said letter.
- (3) On September 14, 2006, Complainant sent responses to all discovery requests received to date to Respondent's counsel.

WHEREFORE, Illinois EPA requests that the Hearing Officer deny Respondents' Motion to Compel as moot.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant

DATED: September 14, 2006



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Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
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PROOF OF SERVICE

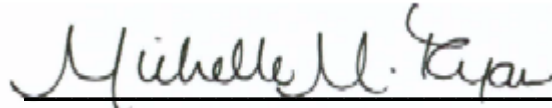
I hereby certify that I did on the 14th day of September, 2006, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled COMPLAINANT'S RESPONSE TO RESPONDENTS' MOTION TO COMPEL

To: Phillip H. Hamilton
Farrell, Hunter, Hamilton & Julian, P.C.
1310 D'Adrian Professional Park
Godfrey, Illinois 62035-1688

Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, Illinois 62702

and an electronic copy of the same foregoing instrument on the same date via electronic filing

To: Dorothy Gunn, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601



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Michelle M. Ryan
Special Assistant Attorney General

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