

ILLINOIS POLLUTION CONTROL BOARD

January 22, 2009

FOX MORaine, L.L.C.,)	
)	
Petitioner,)	
)	
v.)	
)	PCB 07-146
UNITED CITY OF YORKVILLE, CITY)	(Pollution Control Facility
COUNCIL,)	Siting Appeal)
)	
Respondent.)	
)	
)	
KENDALL COUNTY,)	
)	
Intervenor.)	

HEARING OFFICER ORDER

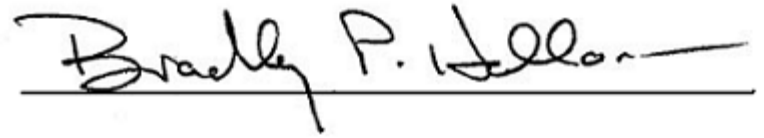
A telephonic status conference in the above-captioned matter was held on January 22, 2009. The petitioner represented that it has one deposition left to be taken. The petitioner was directed that the deposition be taken on or before March 13, 2009, which will conclude discovery in this matter.

The parties are directed to file their respective witness and exhibit lists on or before March 25, 2009. Prehearing motions are due to be filed on or before March 30, 2009. Any responses are due to be filed on or before April 1, 2009. Please note the change of dates. The mailbox rule will not apply and all electronic or approved telefax filings must be received by the Clerk's Office no later than 4:30 p.m. of the due date. No extensions will be entertained.

The respondent will confirm that their hearing room will be available for April 21, 22 and 23, 2009. The petitioner represented that the statutory decision deadline will be revisited at the conclusion of the hearing.

The parties or their legal representatives are directed to appear at a telephonic pre-hearing conference with the hearing officer on March 19, 2009, at 2:00 p.m. The telephonic conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. The petitioner represented that the conference call-in number will be the same as on January 22, 2009. 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 that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

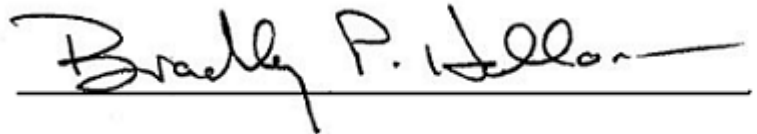
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order was mailed, first class, on January 22, 2009, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on January 22, 2009:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

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
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