

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FLAGG CREEK WATER RECLAMATION )  
DISTRICT )

Complainant )

V. )

VILLAGE OF HINSDALE, METROPOLITAN )  
WATER RECLAMATION DISTRICT OF )  
GREATAER CHICAGO, ILLINOIS )  
DEPARTMENT OF TRANSPORTATION, )  
DUPAGE COUNTY )  
Respondents. )

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CLERK'S OFFICE

OCT 25 2011

STATE OF ILLINOIS  
Pollution Control Board

PCB 06-141

ORIGINAL

NOTICE OF FILING

To: See attached service list.

PLEASE TAKE NOTICE that on the 25<sup>th</sup> day of October, 2011, the enclosed MOTION TO EXTEND WRITTEN DISCOVERY OF RESPONDENT, DUPAGE COUNTY, was filed with the Office of the Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, IL a copy of which is herewith served upon you.

  
ROBERT E. DOUGLAS  
Assistant State's Attorney

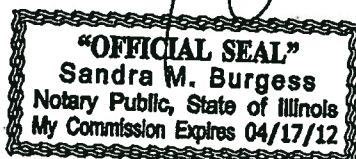
CERTIFICATE OF SERVICE

The undersigned being first duly sworn upon oath states that I served this notice on the 25<sup>th</sup> day of October, 2011, by mailing a copy to each person to whom it is directed and depositing the same in the U.S. Mail at Wheaton, Illinois with the proper postage prepaid.

Subscribed and sworn to before me this  
25<sup>th</sup> day of October, 2011.

  
Notary Public

W:RED:Flagg creek.nof-coS



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**SERVICE LIST**

*Flagg Creek Water Reclamation District v. Village of Hinsdale, et al.*

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VILLAGE OF HINSDALE, METROPOLITAN )  
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DEPARTMENT OF TRANSPORTATION, )  
DUPAGE COUNTY )  
Respondents. )

MOTION FOR EXTENSION OF TIME FOR WRITTEN DISCOVERY

Respondent, County of DuPage (hereafter, "the County"), by Robert B. Berlin, DuPage County State's Attorney, and his assistants Robert E. Douglas and Jennifer Sackett-Pohlenz, pursuant to the Section 101.500, et seq., of the Illinois Pollution Control Board Procedural Rules moves the Hearing Officer for an order allowing for 90 days of additional written discovery. In support of said motion, the County states as follows:

1. That on October 16, 2007, the hearing officer in this matter set a schedule for written discovery.
2. Since the conclusion of the time for written discovery, as set forth in that order, events have occurred that necessitate additional and supplemental written discovery.
3. That among the events which have occurred are, identification of contributions to the 55<sup>th</sup> Street flows by a non-party (Hinsdale Central High School); and the determination by the Flagg Creek Water Reclamation District that the

contributions to the 55<sup>th</sup> Street flows, by the Illinois Department of Transportation (IDOT), are de minimis to the point that IDOT is being dismissed from the complaint.

4. That in light of the above it is necessary for the County to issue additional , supplemental written discovery to ascertain, among other matters, whether third party actions are necessary and appropriate at this time.

WHEREFORE, the claimant, the County of DuPage, respectfully requests that the Hearing Officer enter an order allowing an additional 90 days of written discovery in this matter.

DuPage County State's Attorney

BY:

  
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