

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FLAGG CREEK WATER
RECLAMATION DISTRICT,

Complainant,

Vs.

VILLAGE OF HINSDALE, METROPOLITAN
WATER RECLAMATION DISTRICT OF
GREATER CHICAGO, ILLINOIS
DEPARTMENT OF TRANSPORTATION,
DUPAGE COUNTY,

Respondents.

PCB 06-141

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JAN 19 2012

STATE OF ILLINOIS
Pollution Control Board

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NOTICE OF FILING

To: All parties on the attached Service List.

PLEASE TAKE NOTICE that on the 16th day of November, 2011, the enclosed MOTION TO EXTEND WRITTEN DISCOVERY OF RESPONDENT, VILLAGE OF HINSDALE, 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.



William D. Seith

William D. Seith
Of Counsel
Bryce Downey & Lenkov, LLC
200 N. LaSalle St. Suite 2700
Chicago, IL 60601
312-327-0014
wseith@brycedowney.com

Dated: November 16, 2011

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Pollution Control Board

CERTIFICATE OF SERVICE

I, William D. Seith, an attorney, certify that I sent a copy of the foregoing Notice of Filing by U.S. Mail and/or E-mail to all parties on the attached Service List on this 16th day of November, 2011:

W.D. Seith

William D. Seith

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SERVICE LIST

Flagg Creek Water Reclamation District vs. Village of Hindale, et al.

For the Illinois Department of Transportation:

Lance T. Jones
Deputy Chief Counsel
Illinois Department of Transportation
2300 South Dirksen Parkway, Room 311
Springfield, IL 62764
Lance.Jones@illinois.gov

Gabriela Franco Cleveland
Special Assistant Attorney General
Illinois Department of Transportation
300 West Adams, 2nd Floor
Chicago, IL 60606
Gabriela.Cleveland@illinois.gov

For the DuPage County Division of Transportation:

Robert E. Douglas
Assistant State's Attorney
DuPage County State's Attorney's Office
503 North County Farm Road
Wheaton, IL 60187
Robert.douglas@dupageco.org

Jennifer J. Sackett Pohlenz
Clark Hill PLC
150 N. Michigan Ave., Suite 2700
Chicago, IL 60601
jpohlenz@clarkhill.com

IPCB Hearing Officer:

Bradley Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, IL 60601
hallorab@ipcb.state.il.us

For Flagg Creek Water Reclamation District:

Richard J. Kissel
Richard.kissel@dbr.com

Roy M. Harsch
roy.harsch@dbr.com

John Simon
john.simon@dbr.com

Drinker Biddle & Reath
191 North Wacker Drive, Suite 3700
Chicago, IL 60606-1698

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FLAGG CREEK WATER RECLAMATION
DISTRICT

Complainant

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Motion for Extension of Time for Written Discovery

Respondent, Village of Hinsdale (hereafter, "Hinsdale"), by and through its attorney, William D. Seith of Bryce Downey & Lenkov, LLC, pursuant to the Section 101.500, et. seq., of the Illinois Pollution Control Board Procedural Rules joins Respondent, County of DuPage (hereafter, "the County"), and moves the Hearing Officer for an order allowing for 90 days of additional written discovery. In support of said motion, Hinsdale 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 55th Street flows by a non-party (Hinsdale Central High School); and the determination by Flagg Creek Water Reclamation District that the contribution to the 55th Street flows, by the Illinois Department of Transportation (IDOT), are de minimis to the point the IDOT is being dismissed from the complaint.

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

WHEREFORE, the Respondent, Village of Hinsdale, respectfully requests that the Hearing Office enter an order allowing an additional 90 days of written discovery in this matter.

VILLAGE OF HINSDALE

By 
William D. Seith, its Attorney

Dated: November 16, 2011

William D. Seith
Of Counsel
Bryce Downey & Lenkov, LLC
200 N. LaSalle St., Suite 2700
Chicago, IL 60601
312-327-0014
Firm No. 45609