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JUN 12 2013

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

June 12, 2013

INDIAN CREEK DEVELOPMENT )  
COMPANY, an Illinois partnership, )  
individually as beneficiary under trust 3291 of )  
the Chicago Title and Trust Company, dated )  
December 15, 1981 and the Chicago Title and )  
Trust Company, as trustee under trust 3291, )  
dated December 15, 1981, )

Complainant, )

v. )

The BURLINGTON NORTHERN SANTA FE )  
RAILWAY COMPANY, a Delaware )  
corporation, )

Respondent. )

PCB 07-44  
(Citizens Enforcement – Land, Water)



ORIGINAL

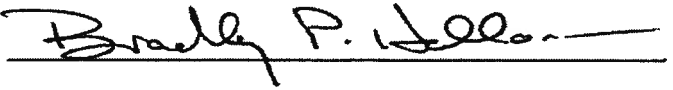
**HEARING OFFICER ORDER**

On June 12, 2013, all parties participated in a telephonic status conference with the hearing officer. The parties stated that proceedings are continuing in the related case in circuit court and that a status in circuit court is set for July 10, 2013 where, presumably, the discovery schedule will be discussed. Complainant stated that it will serve an expert disclosure schedule soon.

The respondent stated that it is awaiting responses to its written discovery. The respondent further stated that the discovery of additional product at the site had delayed progress on the discovery proceedings.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on August 22, 2013, at 11:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for their own appearance. At the status 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, reading "Bradley P. Halloran", is written over a solid horizontal line.

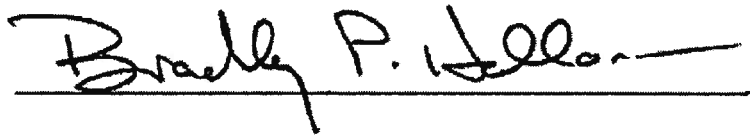
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917  
[Brad.Halloran@illinois.gov](mailto:Brad.Halloran@illinois.gov)

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on June 12, 2013, 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 June 12, 2013:

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, reading "Bradley P. Halloran", is written over a horizontal line.

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

PCB 2007-044  
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