

ILLINOIS POLLUTION CONTROL BOARD
October 29, 1987

HILLVIEW FARMS FERTILIZERS, INC.,)
)
 Petitioner,)
)
 v.) PCB 86-70
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)
)
 PEOPLE OF THE STATE OF ILLINOIS,)
)
 Intervenor.)

ORDER OF THE BOARD (by J.D. Dumelle):

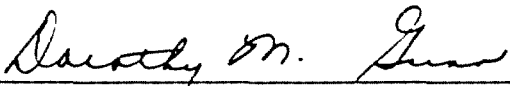
This matter comes before the Board upon a Joint Motion To Dismiss, filed October 14, 1987 by Respondents, Illinois Environmental Protection Agency and People of Illinois, represented by the Attorney General's Office. The motion seeks dismissal for Petitioner's failure to prosecute this action.

In support of its motion, Respondents allege that Petitioner has failed to respond to legitimate Discovery -- even when ordered to do so by the Hearing Officer. Respondents further allege that Petitioner has failed to attend or otherwise appear at pre-hearing conferences scheduled by the Hearing Officer. In short, Respondents agree that Petitioner has failed to pursue this matter and to prosecute its case. Petitioner has filed no response to the motion.

Respondent's Joint Motion is granted. This action is dismissed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 29th day of October, 1987 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board