

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 PROFESSIONAL SWINE MANAGEMENT,)
 LLC, an Illinois limited liability corporation,)
 HILLTOP VIEW, LLC, an Illinois limited)
 liability corporation, WILDCAT FARMS, LLC,)
 an Illinois limited liability corporation,)
 HIGH-POWER PORK, LLC, an Illinois limited)
 liability corporation, EAGLE POINT FARMS,)
 LLC, an Illinois limited liability corporation,)
 LONE HOLLOW, LLC, an Illinois limited liability)
 corporation, TIMBERLINE, LLC, an Illinois)
 limited liability corporation, PRAIRIE STATE)
 GILTS, LTD, an Illinois corporation, LITTLE)
 TIMBER, LLC, an Illinois limited liability)
 corporation,)
 Respondents.)

PCB NO. 10-84
(Enforcement)

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on January 29, 2014, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, COMPLAINANT'S MOTION FOR EXTENSION OF DISCOVERY DEADLINES, a copy of which is attached hereto and herewith served upon you.

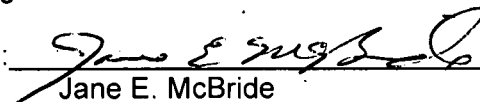
Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

500 S. Second St.
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217/782-9031

BY: 
Jane E. McBride
Assistant Bureau Chief
Environmental Bureau

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)

Complainant,)

v.)

PCB NO. 10-84

(Enforcement)

PROFESSIONAL SWINE)

MANAGEMENT, LLC, an Illinois)

limited liability corporation, and)

HILLTOP VIEW, LLC, an Illinois)

limited liability corporation, WILDCAT)

FARMS, LLC, an Illinois limited)

liability corporation, HIGH-POWER)

PORK, LLC, an Illinois limited liability)

corporation, EAGLE POINT FARMS, LLC, an)

Illinois limited liability corporation,)

LONE HOLLOW, LLC, an Illinois limited)

liability corporation, TIMBERLINE, LLC,)

an Illinois limited liability corporation,)

PRAIRIE STATE GILTS, LTD, an Illinois)

corporation, LITTLE TIMBER, LLC, an)

Illinois limited liability corporation)

Respondents.)

MOTION FOR EXTENSION OF DISCOVERY DEADLINES

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by Lisa Madigan, Attorney General of the State of Illinois, and moves for a 30-day extension of the remaining discovery deadlines set forth in the Hearing Officer Order entered on October 29, 2013 in this matter.

1. On or about December 16, 2013, written discovery was served among the parties.
2. Since a discovery schedule was set in this matter, due to a significant transition of personnel in the office of counsel for the Complainant and the need for counsel to assume management responsibilities, counsel's time has been unexpectedly burdened with unanticipated

responsibilities.

3. Further, response to the Respondents' requests for production entails interface with Central Management Services to retrieve electronic materials, a process that customarily takes months. Given the number of facilities involved in this matter and time span involved in the allegations, the process of retrieving and reviewing potentially discoverable electronic materials is proving to be consistent with the customary timeframe.

4. Further, this discovery schedule straddled the holiday season. It is a time of year when many individuals take several days away from the office; some individuals with accumulated time take multiple weeks off. Complainant's efforts to meet the schedule's deadlines were impacted by disruptions due to holiday season work schedules.

5. With regard to the disclosure of Complainant's opinion witnesses, since this case was initiated the responsibility for NPDES permit determinations has been shifted back from the Illinois EPA field staff to the permit staff. Therefore, in the interest judicial efficacy and efficiency, additional time is requested to properly prepare Complainant's disclosure in this matter.

6. Counsel for Complainant attempted to obtain the agreement of opposing counsel to this requested extension of time. Although opposing counsel extended their consideration given counsel's unusual circumstance it was their desire to obtain agreement that Complainant seek no further deadline extensions. Counsel cannot, consistent with her professional responsibility, represent that she will not in the future be in the position to require and seek additional time to meet discovery obligations.

WHEREFORE, on the foregoing grounds and for the foregoing reasons, Complainant

respectfully requests a 30-day extension of the remaining deadlines in the discovery schedule set by the Hearing Officer on October 29, 2013 in this matter; thereby causing the People's opinion witnesses disclosure deadline to be extended to March 1, 2014, and the written discovery response deadline for all parties to be extended to March 20, 2014.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney General
of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement Division

BY:



JANE E. MCBRIDE


Assistant Chief

Environmental Bureau, South

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CERTIFICATE OF SERVICE

I hereby certify that I did on January 29, 2014, cause to be served with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING and MOTION FOR EXTENSION OF DISCOVERY DEADLINES upon the persons listed on the Service List.



JANE McBRIDE
Assistant Bureau Chief

This filing is submitted on recycled paper.

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