

STATE OF ILLINOIS – DEPARTMENT OF LABOR
 CONCILIATION/MEDIATION DIVISION
 1 W. OLD STATE CAPITOL PLAZA, 3RD FLOOR
 SPRINGFIELD, ILLINOIS 62701

IN THE MATTER OF:)

A-1 LOCK, INC.,)

Petitioner(s),)

v.)

STATE FILE NO. 10-H-TW-07-0004

CATHERINE M. SHANNON,)
 DIRECTOR OF)
 LABOR and the ILLINOIS)
 DEPARTMENT OF LABOR,)

Respondent,)

And)

MID-CENTRAL ILLINOIS REGIONAL)
 COUNCIL, UNITED BROTHERHOOD)
 OF CARPENTERS AND JOINERS)
 OF AMERICA, and INTERNATIONAL)
 BROTHERHOOD OF ELECTRICAL)
 WORKERS, LOCALS #34, #146, #193,)
 #197, #309, #538, #601, #649, and #702,)

Interveners.)

ORDER

THIS MATTER COMING on to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01-12 and Notice of Hearing issued there under; and, Petitioner’s Motion to Continue Discovery, all parties and potential interveners having been duly advised on the premises;

FINDINGS:

It is found after considering the positions on the Motion that it was made for purposes of delay to allow Petitioner to continue to investigate the facts regarding the substance of the complaint with various associations statewide to gain information regarding this matter. The interveners took no position. IDOL did not agree or disagree with the Motion, but suggested respectfully that the investigation should have been conducted prior to requesting a hearing. IDOL further suggested that the petition be withdrawn and a new request for hearing to be initiated in July pursuant to 820 ILCS 130/9.

Procedurally, the request for hearing was filed July 1, 2009. Subsequent to the issuance of Notice of Hearing, two agreed continuances were granted. On September 29, 2009, the undersigned issued an order stating: “absent good cause no further agreed motions to continue will be granted.” *See Order, September 29, 2009.*

The hearing rules provide: All parties involved in a hearing shall attempt to avoid undue delay caused by repetitive postponements or continuances so that the subject matter of the hearing may be resolved

expeditiously. 56 IAC 120.330. Allowing an additional continuance would cause further repetitive delay and would not allow the matter to be resolved in an expeditious matter.

IT IS HEREBY ORDERED:

1. Petitioner's Motion to Continue is denied. The discovery schedule is accordingly revised. The date for status has not and will remain the same as previously entered. Petitioner is ordered to provide the undersigned with a copy of the Motion via facsimile as soon as practicable.
2. Any and all interrogatories shall be propounded in accordance with Supreme Court Rule 213 by February 8, 2010 with replies due February 22, 2010.
3. Any and all requests to produce shall be propounded in accordance with Supreme Court Rule 214 by February 15, 2010 with all production of documents to have occurred by March 1, 2010.
4. Any and all Requests to Admit shall be propounded in accordance with Supreme Court Rule 216 by March 8, 2010, with responses due March 22, 2010.
5. Any and all motions regarding discovery should be filed as soon as possible to expedite resolution of the discovery process.
6. This matter is set for telephone status on April 6, 2010 at 2:00 to discuss among other matters whether depositions are required, as well as any supplemental discovery and motions then outstanding.

DATE: 1/27/10

By: Claudia D. Manley
Claudia D. Manley
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing:

ORDER

prior to 4:30 p.m. on January 27, 2010, to the following addresses shown below

via U.S. Mail and facsimile:

John E. Nolan
The Gary Law Group
3150 Roland Ave.
Springfield, IL 62703

Michael W. O'Hara
Cavanagh & O'Hara
407 E. Adams St.
P.O. Box 5043
Springfield, IL 62705

James Moody
Cavanagh & O'Hara
407 E. Adams St.
P.O. Box 5043
Springfield, IL 62705

Via messenger:

Michael Haggerty
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601

A handwritten signature in cursive script, reading "Ann Harrison", is written over a horizontal line.