

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

E.R. 1, LLC, assignee of CASEYVILLE	)	
SPORT CHOICE, LLC	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 08-30
	)	(Citizens Enforcement-Land)
ERMA I. SEIBER, ADMINISTRATIX OF	)	
THE ESTATE OF JAMES A. SEIBER,	)	
DECEASED, ERMA I. SEIBER,	)	
INDIVIDUALLY and FAIRMONT PARK,	)	
INC.,	)	
	)	
Respondents.	)	

**COMPLAINANT’S MOTION FOR EXTENSION OF TIME TO RESPOND TO  
PETITION FOR ADJUDICATION OF THE RETAINING LIEN  
AND FOR ORDER QUASHING SUBPOENA DUCES TECUM**

COMES NOW Complainant E.R. 1, LLC, an assignee of Complainant Caseyville Sport Choice, LLC (“Caseyville” or “Complainant”), by and through its undersigned counsel, and pursuant to 35 ILAC 101.500(d), respectfully moves the Court to allow Caseyville to respond to the Petition for Adjudication of the Retaining Lien and For Order Quashing Subpoena Duces Tecum (“Petition”) by Wednesday, August 24, 2011. In further support of its motion for extension of time, Caseyville states as follows:

1. Counsel for Complainant has been corresponding with Mr. Harold Belsheim of Belsheim & Bruckert, L.L.C.. The parties are in the process of attempting to resolve the issues raised in the Petition. The discussions are ongoing.

2. In order to allow additional time to resolve the issues raised in the ongoing discussions, on August 16, 2011, Counsel for Complainant asked Mr. Belsheim for an extension of time to respond to the Petition until August 24, 2011. Mr. Belsheim consented to the request.

3. No material delay to the proceedings will occur if the Court grants Complainant's motion for extension of time.

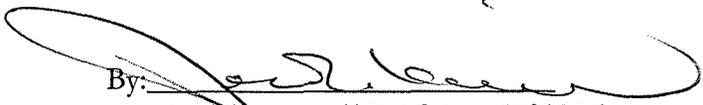
4. No parties will be prejudiced if the Court grants Complainant's motion for extension of time.

WHEREFORE, Complainant respectfully requests the Court grant its motion for an extension of time to respond to the Petition by August 24, 2011.

Dated: August 17, 2011

Respectfully Submitted,

BRYAN CAVE LLP

By: 

Daniel Nester (ARDC No. 6208872)  
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*Attorneys for E.R. 1, LLC, As Assignee  
Of Caseyville Sport Choice, LLC*

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing response was served upon the following parties via U.S. Mail on the 17<sup>th</sup> of August, 2011.

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A handwritten signature in black ink, appearing to read "John P. Long", written over a horizontal line.