

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|----------------------------------|---|---------------------|
| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB 15-112 |
| |) | (Enforcement - Air) |
| INCOBRASA INDUSTRIES, LTD.; |) | |
| an Illinois corporation, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

| | |
|----------------------------------|----------------------------------|
| TO: John T. Therriault | Carol Webb, Esq. |
| Clerk of the Board | Hearing Officer |
| Illinois Pollution Control Board | Illinois Pollution Control Board |
| James R. Thompson Center | 1021 North Grand Avenue East |
| 100 West Randolph, Suite 11-500 | Post Office Box 19274 |
| Chicago, Illinois 60601 | Springfield, Illinois 62794-9274 |
| (VIA ELECTRONIC MAIL) | (VIA U.S. MAIL) |

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **RESPONDENT'S MOTION FOR EXTENSION OF DEADLINE TO RESPOND TO DISCOVERY REQUESTS** copies of which are herewith served upon you.

Respectfully submitted,
INCOBRASA INDUSTRIES, LTD.,
Petitioner,

Dated: March 30, 2016

By: /s/ Melissa S. Brown
One of Its Attorneys

N. LaDonna Driver
Edward W. Dwyer
Melissa S. Brown
HEPLERBROOM, LLC
3150 Roland Avenue
Springfield, Illinois 62703
(217) 523-4900

CERTIFICATE OF SERVICE

I, Melissa S. Brown, the undersigned, hereby certify that I have served the attached **RESPONDENT'S MOTION FOR EXTENSION OF DEADLINE TO RESPOND TO DISCOVERY REQUESTS**, upon:

John T. Therriault
Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

Ryan G. Rudich
Assistant Attorney General
69 West Washington Street, Suite 1800
Chicago, Illinois 60602

via electronic mail on March 30, 2016; and upon:

/s/ Melissa S. Brown
Melissa S. Brown

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| an Illinois corporation, |) | |
| |) | |
| Respondent. |) | |

**RESPONDENT'S MOTION FOR EXTENSION OF
DEADLINE TO RESPOND TO DISCOVERY REQUESTS**

NOW COMES, Respondent, INCOBRASA INDUSTRIES, LTD. (hereinafter, "Respondent" or "Incobrasa"), by and through its attorneys, HEPLERBROOM, LLC, pursuant to Section 101.522 of the Illinois Pollution Control Board's ("Board") procedural rules, 35 Ill. Admin. Code § 101.522, and respectfully moves the Hearing Officer to enter an Order extending the deadline for the parties to respond to outstanding discovery requests to April 30, 2016. In support of its motion, Incobrasa states as follows:

1. On December 7, 2015, the Hearing Officer issued an Order requiring the parties to serve initial discovery requests by January 8, 2016 and to respond to those discovery requests by February 29, 2016.
2. Both parties served each other with discovery requests on or before January 8, 2016.
3. Prior to the February 29, 2016 response deadline, Complainant filed a motion to extend the deadline to respond to the outstanding discovery requests.

4. The Hearing Officer granted Complainant's motion on March 1, 2016, extending the deadline to respond to the discovery requests to March 31, 2016.

5. Section 101.522 of the Board's procedural rules provides that "[t]he Board or hearing officer, for good cause shown on a motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time." 35 Ill. Admin. Code § 101.522.

6. Respondent has been actively working to prepare responses to Complainant's discovery requests and documents for production to Complainant.

7. This motion is not brought for purposes of delay.

8. This motion is Respondent's first request for an extension of time to respond to discovery in this matter.

9. Complainant's counsel has represented that Complainant does not object to this motion.

10. For the reasons stated above, good cause exists under 35 Ill. Admin. Code § 101.522 to grant the extension of time requested by Respondent to file responses to outstanding discovery.

WHEREFORE, Respondent, INCOBRASA INDUSTRIES, LTD., respectfully requests the Hearing Officer enter an Order granting this motion, extending the deadline for the

parties to respond to outstanding discovery requests until April 30, 2016, and granting such other relief as the Hearing Officer deems proper.

Respectfully submitted,

INCOBRASA INDUSTRIES, LTD.,
Respondent,

By: /s/ Melissa S. Brown
Melissa S. Brown

Dated: March 30, 2016

Edward W. Dwyer
N. LaDonna Driver
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