

ILLINOIS POLLUTION CONTROL BOARD  
July 8, 1998

ENVIRONMENTAL SITE DEVELOPERS, )  
INC., an Illinois corporation, )  
 )  
Complainant, )  
 )  
v. ) PCB 96-180  
 ) (Enforcement - Water - Citizens)  
WHITE & BREWER TRUCKING, INC., an )  
Illinois corporation, )  
 )  
Respondent. )

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WHITE & BREWER TRUCKING, INC., an )  
Illinois corporation, )  
 )  
Counterclaimant, )  
 )  
v. ) PCB 96-180  
 ) (Enforcement - Water - Citizens)  
ENVIRONMENTAL SITE DEVELOPERS, ) (Counterclaim)  
INC., an Illinois corporation, )  
 )  
Counterrespondent. )

ORDER OF THE BOARD (by M. McFawn):

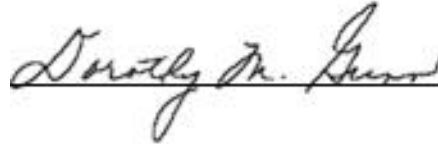
On June 19, 1998, respondent/counterclaimant White & Brewer Trucking, Inc. (White & Brewer) filed a "Motion for Partial Summary Judgment," seeking summary judgment on several matters raised in its counterclaim. Under 35 Ill. Adm. Code 103.140(c), a response to a motion may be filed within seven days of service of the motion. On June 26, 1998, complainant/counterrespondent Environmental Site Developers, Inc. (ESDI) filed a "Motion for Extension of Time," seeking an extension to and including July 9, 1998, for filing of a response to White & Brewer's motion, due to the length and complexity of the motion and the press of other matters.

The Board perceives no prejudice that would result from granting ESDI the requested extension. In its motion, ESDI represents that counsel for White & Brewer has no objection to granting the requested extension, and White & Brewer has not filed a response in opposition to ESDI's motion. Accordingly, the Board grants ESDI's motion. The time within which ESDI may file a response to White & Brewer's "Motion for Partial Summary Judgment" is extended to and including July 9, 1998.

IT IS SO ORDERED.

Board Member K.M. Hennessey abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 8th day of July 1998 by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board