

ELECTRONIC FILING, RECEIVED, CLERK'S OFFICE, JUNE 7, 2005

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MORTON F. DOROTHY,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 05-49
	)	
FLEX-N-GATE CORPORATION,	)	
an Illinois corporation,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Ms. Dorothy M. Gunn	Carol Webb, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(VIA ELECTRONIC MAIL)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board Respondent Flex-N-Gate Corporation's **RESPONSE TO MOTION FOR TIME TO RESPOND**, a copy of which is herewith served upon you.

Respectfully submitted,

FLEX-N-GATE CORPORATION,  
Respondent,

Dated: June 7, 2005

By: /s/ Thomas G. Safley  
One of Its Attorneys

Thomas G. Safley  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

THIS FILING SUBMITTED ON RECYCLED PAPER

**CERTIFICATE OF SERVICE**

I, Thomas G. Safley, the undersigned, certify that I have served the attached

RESPONSE TO MOTION FOR TIME TO RESPOND upon:

Ms. Dorothy M. Gunn  
Clerk of the Board  
Illinois Pollution Control Board  
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

via electronic mail on June 7, 2005; and upon:

Mr. Morton F. Dorothy  
804 East Main  
Urbana, Illinois 61802

by depositing said documents in the United States Mail in Springfield, Illinois, postage prepaid, on June 7, 2005.

/s/ Thomas G. Safley  
Thomas G. Safley

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MORTON F. DOROTHY,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 05-49
	)	
FLEX-N-GATE CORPORATION,	)	
an Illinois corporation,	)	
	)	
Respondent.	)	

**RESPONSE TO MOTION FOR TIME TO RESPOND**

NOW COMES Respondent, FLEX-N-GATE CORPORATION (“Flex-N-Gate”), by and through its attorneys, HODGE DWYER ZEMAN, and for its Response to Motion for Time to Respond, states as follows:

1. Complainant has moved the Illinois Pollution Control Board (“Board”) to grant him until June 24, 2005, to respond to Flex-N-Gate’s Motion for Partial Summary Judgment and Motion for Summary Judgment as to All Counts of Complainant’s Complaint.

2. Flex-N-Gate has no objection to the Board, or the Hearing Officer (see 35 Ill. Admin. Code § 101.522), granting Complainant’s Motion for Time to Respond.

Respectfully submitted,

FLEX-N-GATE CORPORATION  
Respondent,

Dated: June 7, 2005

By: /s/ Thomas G. Safley  
One of Its Attorneys

Thomas G. Safley  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
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GWST:003/Fil/Response to Motion for Time to Respond