

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

C&F PACKING COMPANY, INC., an)	
Illinois corporation,)	
)	
Petitioner,)	
)	PCB 06-053
v.)	(Water-Variance)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY and LAKE)	
COUNTY,)	
)	
Respondents.)	

NOTICE OF FILING

TO: All counsel of record.

PLEASE TAKE NOTICE that on the 7th day of February 2006, we have electronically filed with the Illinois Pollution Control Board, **MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS OF RESPONDENT ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, RESPONDENT COUNTY OF LAKE'S COMBINED MOTION TO DISMISS AND OBJECTION TO C&F PACKING COMPANY'S REQUEST FOR VARIANCE, AND RESPONDENT COUNTY OF LAKE'S MOTION FOR JOINDER OF VILLAGE OF LAKE VILLA AND VILLAGE OF FOX LAKE**, a copy of which is hereby served upon you.

Dated: February 7, 2006

Respectfully submitted,

C&F PACKING COMPANY, INC.

By:

/s/ Matthew E. Cohn

One of its Attorneys

Brett D. Heinrich
Matthew E. Cohn
MECKLER BULGER & TILSON LLP
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Matthew E. Cohn, an attorney, certify that on February 7, 2006, I served the foregoing **MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS OF RESPONDENT ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, RESPONDENT COUNTY OF LAKE'S COMBINED MOTION TO DISMISS AND OBJECTION TO C&F PACKING COMPANY'S REQUEST FOR VARIANCE, AND RESPONDENT COUNTY OF LAKE'S MOTION FOR JOINDER OF VILLAGE OF LAKE VILLA AND VILLAGE OF FOX LAKE** by causing true and correct copies of same to be sent as stated below:

Via U.S. Mail

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

Via U.S. Mail

Charles W. Gunnarson
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276

Via U.S. Mail

Lake County Department of Public Works
650 West Winchester Road
Libertyville, IL 60048

Via U.S. Mail

Dan Jasica, Assistant State's Attorney
Civil Division
Office of the State's Attorney of Lake County
18 North County Street, 4th Floor
Waukegan, IL 60085

Via U.S. Mail

Victor Filippini, Esq.
Holland & Knight LLC
131 South Dearborn, 30th Floor
Chicago, IL 60603

Via Facsimile and U.S. Mail

Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 West Randolph Street
Chicago, IL 60601
Fax: (312) 814-3669

/s/ Matthew E. Cohn

Matthew E. Cohn

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**MOTION FOR EXTENSION OF TIME TO RESPOND
TO MOTION TO DISMISS OF RESPONDENT ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY, RESPONDENT COUNTY OF LAKE'S COMBINED
MOTION TO DISMISS AND OBJECTION TO C&F PACKING COMPANY'S
REQUEST FOR VARIANCE, AND RESPONDENT COUNTY OF LAKE'S
MOTION FOR JOINDER OF VILLAGE OF LAKE VILLA
AND VILLAGE OF FOX LAKE**

Counsel for Petitioner C&F Packing Company, Inc., Brett D. Heinrich, contacted Counsel for Respondent Lake County, Daniel L. Jasica, and Counsel for Respondent Illinois Environmental Protection Agency ("IEPA"), Charles Gunnarson, on the afternoon of February 7, 2006. Due to the ongoing settlement discussions between Lake County and Petitioner, and including other interested parties Village of Lake Villa and the Village of Fox Lake, Petitioner requested from Counsel for Respondents to have an additional two weeks beyond February 10, 2006, or until February 24, 2006, to respond to both the IEPA's Motion to Dismiss and Lake County's Combined Motion to Dismiss and Objection. Counsel for Respondents did not oppose this request. In addition, Lake County does not oppose C&F Packing's request that any response to Lake County's Motion for Joinder of Village of Lake Villa and Village of Fox Lake may be filed on or before February 24, 2006.

Petitioner therefore requests that the Hearing Officer Bradley P. Halloran enter an order extending the time for Petitioner to respond to IEPA's Motion to Dismiss, Lake County's Combined Motion to Dismiss and Objection, and Lake County's Motion for Joinder of Village of Lake Villa and Village of Fox Lake to February 24, 2006.

Respectfully submitted,

/s/ Matthew E. Cohn

Matthew E. Cohn

Dated: February 7, 2006
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