

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ROBERT F. KASSELLA JR. and)	
KELLIE R. KASSELLA,)	
)	
Complainants,)	
)	
v.)	PCB No. 06-001
)	(Enforcement – Noise)
TNT LOGISTICS NORTH AMERICA)	
INC.,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Ms. Dorothy M. Gunn	Bradley P. Halloran, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	100 West Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board **RESPONDENT'S AGREED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINANTS' INTERROGATORIES AND REQUEST FOR THE PRODUCTION OF DOCUMENTS**, a copy of which is herewith served upon you.

Respectfully submitted,

TNT LOGISTICS NORTH AMERICA INC.,
Respondent,

Dated: February 24, 2006

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

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

CERTIFICATE OF SERVICE

I, Thomas G. Safley, the undersigned, hereby certify that I have served the attached RESPONDENT'S AGREED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINANTS' INTERROGATORIES AND REQUEST FOR THE PRODUCTION OF DOCUMENTS upon:

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on February 24, 2006; and upon:

Bradley P. Halloran, Esq.
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Timothy M. Nolan, Esq.
Mary Ann Sullivan, Esq.
53 West Jackson Boulevard
Suite 1137
Chicago, Illinois 60604-3702

by depositing said documents in the United States Mail, postage prepaid, in Springfield,

Illinois on February 24, 2006.

/s/Thomas G. Safley
Thomas G. Safley

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**RESPONDENT’S AGREED
MOTION FOR EXTENSION OF TIME
TO RESPOND TO COMPLAINANTS’ INTERROGATORIES
AND REQUEST FOR THE PRODUCTION OF DOCUMENTS**

NOW COMES Respondent, TNT LOGISTICS NORTH AMERICA, INC.

(“Respondent” or “TNT Logistics”), by and through its attorneys, HODGE DWYER ZEMAN, and pursuant to 35 Ill. Admin. Code §§ 101.502, 101.522, and 101.610(n)

moves the Hearing Officer for an extension of time to respond to Complainants’

Interrogatories and Request for the Production of Documents. In support of this Motion,

Respondent states as follows:

1. On January 27, 2006, Complainants served their Interrogatories and Request for the Production of Documents (“Request for Production”) on Respondent.

2. Respondent’s Response to Complainants’ Interrogatories and Request for Production is due on February 24, 2006.

3. Respondent is in the process of preparing its Response, but due to the press of other matters, is unable to complete its Response by February 24, 2006.

4. Therefore, Respondent requests an extension of time for 21 days, to and including March 17, 2006, in which to file its Response to Complainants' Interrogatories and Request for Production.

5. The undersigned has contacted counsel for Complainants regarding this Motion, and said counsel has indicated that her clients have no objection to this Motion.

6. This Motion is made in good faith and not for purposes of delay.

WHEREFORE, for the above and foregoing reasons, Respondent, TNT LOGISTICS NORTH AMERICA, INC., respectfully moves the Hearing Officer to grant this Motion for Extension of Time, and allow Respondent an extension of time for 21 days, or until March 17, 2006, in which to file its Response to Complainants' Interrogatories and Request for the Production of Documents.

Respectfully submitted,

TNT LOGISTICS NORTH AMERICA INC.,
Respondent,

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

Dated: February 24, 2006

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TNTL:002/Fil/Motion for Extension of Time - Kassela