

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
 Complainant. )  
 )  
 vs. ) NO PCB 07-144  
 )  
 MICK MORFEY, individually, and ) (Enforcement- Air)  
 WILLIAM KNAUER, individually. )  
 )  
 Respondents. )

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STATE OF ILLINOIS  
Pollution Control Board

**MOTION FOR EXTENSION OF TIME TO ANSWER DISCOVERY REQUEST.**

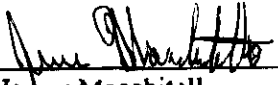
NOW COMES, the Respondent, MICK MORFEY, by and through his attorney JAMES MACCHITELLI pursuant to the Illinois Pollution Control Board ("Board") Procedural Regulations to request an extension of time to answer discovery requests of the Complainant states as follows:

1. That on September 6, 2007 an order was entered by the Hearing officer Bradley Halloran for a discovery schedule to be established in this matter.
2. That on September 17, 2007 an order was entered by the hearing officer in part that written discovery be propounded on or before October 21, 2007 and answers to discovery be completed on November 20, 2007 by both sides.
3. That the respondent was timely in propounding discovery and the respondent in like kind received discovery requests from opposing counsel.
4. That this attorney had a telephone conversation with Stephen Sylvester relative to an extension of time to answer discovery requests approximately 5 days prior.
5. That both this attorney and Stephen Sylvester agreed to an extension of time to answer discovery requests for valid reasons which each discussed, subject to approval by the hearing officer.

6. That both this attorney and Stephen Sylvester for said valid reasons agreed that it was necessary, and the attorney for the complainant informed this attorney that he was filing for additional time to answer respondents pleadings (see Exhibit A).
7. That due to this attorneys scheduling conflicts and the need of documentation from the respondent which is critical to the respondent MICK MORFEY'S stand in this case respectfully constitutes "good cause" for an extension of time.
8. That this attorney joins in the motion with the Complainant's attorney for an extension of time to answer said discovery.

WHEREFORE, Respondent, MICK MORFEY, by and through his attorney, respectfully requests that the Hearing Officer and/or the Board Grant an extension of time to answer discovery requests.

Respectfully Submitted,

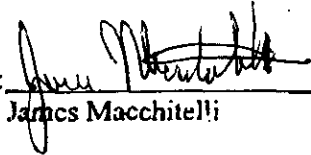
By:   
James Macchitell  
Attorney for Respondent  
7247 W. Touhy Ave.  
Chicago, IL 60631

PROOF OF SERVICE

I, James Macchitelli, do certify that a true and correct copy of the Respondents Motion for Extension of time to Answer Discovery Requests were sent by U.S. Mail to the persons listed below on November 20, 2007.

Bradley Halloran  
Chief Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph St., 11<sup>th</sup> Floor.  
Chicago, IL, 60601

Stephen Sylvester  
Assistant Attorney General  
Environmental Bureau  
69 W. Washington, 18<sup>th</sup> Floor  
Chicago, IL 60602

By:   
James Macchitelli