

**BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS**

PEOPLE OF THE STATE OF ILLINOIS )  
ex rel. LISA MADIGAN, Attorney General )  
of the State of Illinois )  
 ) PCB 2008-007  
Complainant, )  
 )  
vs. ) **VIA ELECTRONIC FILING**  
 )  
UNION PACIFIC RAILROAD COMPANY, )  
a Delaware corporation, )  
 )  
Respondent. )

**NOTICE OF FILING**

John Therriault  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, IL 60601

Zemeheret Bereket-Ab  
Assistant Attorney General  
Environmental Bureau North  
69 West Washington Street, Suite 1800  
Chicago, IL 60602

Bradley P. Halloran  
Hearing Officer  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, IL 60601

W. Lee Hammond  
Union Pacific Railroad Company  
1400 Douglas Street, Stop 1080  
Omaha, NE 68179

Please take notice that today, September 28, 2009, I have filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing Union Pacific Railroad Company's Motion to Extend the Schedule, along with Notice of Filing and Certificate of Service, a copy of which is attached hereto and served upon you.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

By: /s/ Thomas A. Andreoli  
Attorneys for Respondent  
Union Pacific Railroad Company

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would cause confusion of the pleadings and material prejudice to Union Pacific, in the event its Motion for Reconsideration were granted.

4. Accordingly, Union Pacific requests that the Hearing Examiner extend the date for Union Pacific to answer or otherwise respond to the Complaint until such time as the Board has ruled upon its Motion to for Reconsideration of the August 20, 2009 Order.

5. This Motion is made in good faith and for good cause and not for purposes of delay. No party will be unfairly prejudiced by the granting of this Motion.

6. The parties currently are scheduled for a telephonic status conference with the Hearing Officer on October 1, 2009 at 11:30. a.m.

WHEREFORE, Union Pacific Railroad Company respectfully requests that the Hearing Officer extend the date for Union Pacific to answer or otherwise respond to the Complaint until such time as the Board has ruled upon its Motion to for Reconsideration of the August 20, 2009 Order to be filed on September 29, 2009.

Dated: September 28, 2009

Respectfully submitted,


SONNENSCHN NATH & ROSENTHAL LLP

By: /s/ Thomas A. Andreoli  
Attorneys for Respondent  
Union Pacific Railroad Company

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**VERIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

  
\_\_\_\_\_  
Thomas A. Andreoli

**CERTIFICATE OF SERVICE**

I, Thomas A. Andreoli, an attorney, hereby certify that I caused a copy of Union Pacific Railroad Company's Motion to Extend the Schedule, along with Notice of Filing and Certificate of Service, to be served upon the service list on September 28, 2009, by regular mail.

/s/ Thomas A. Andreoli

Thomas A. Andreoli