

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

S&D REALTY, INC., )  
Petitioner, )  
 )  
v. )  
 )  
ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Respondent. )

PCB 09-33 **RECEIVED**  
(LUST Appeal) **CLERK'S OFFICE**

**DEC 09 2009**

**STATE OF ILLINOIS**  
**Pollution Control Board**

**NOTICE OF FILING AND PROOF OF SERVICE**

TO: Pollution Control Board, Attn: Clerk  
100 West Randolph Street  
James R. Thompson Center, Suite 11-500  
Chicago, Illinois 60601

James G. Richardson  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601

ORIGINAL

PLEASE TAKE NOTICE that on this day, December 8, 2009, we filed with the office of the Clerk of the Illinois Pollution Control Board an original and nine copies of Petitioner's Waiver of Deadline for Decision, copies of which are enclosed herewith and hereby served upon you.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with copies of the documents described above, were today served upon the hearing officer and counsel of record of all parties to this cause by enclosing same in envelopes addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing same in the U.S. Mail in Worth, Illinois on December 8, 2009.

S&D Realty Inc.

By: Michael Abel  
One of its Attorneys

Edward Cohen  
Michael Abel  
Law Offices of Cohen and Hussien, P.C.  
Attorney Number: 39565  
Attorneys for Petitioner  
6901 W. 111<sup>th</sup> Street  
Worth, Illinois 60482  
(708) 361-3030

THIS FILING SUBMITTED ON RECYCLED PAPER

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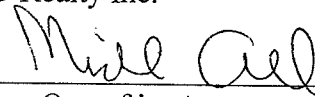
**WAIVER OF DEADLINE FOR DECISION**

NOW COMES the Petitioner, S&D REALTY, INC., by and through its attorneys, the Law Offices of Cohen & Hussien, P.C., and pursuant to Section 101.308(c)(2) of the Board's Procedural Rules, 35 Ill. Adm. 101.308(c)(2), hereby waives the statutory deadline for Board action in the above-captioned manner until June 3, 2010.

Dated: December 8, 2009

S&D Realty Inc.

By:



One of its Attorneys

Edward Cohen  
Michael Abel  
Law Offices of Cohen and Hussien, P.C.  
Attorney Number: 39565  
Attorneys for Petitioner  
6901 W. 111<sup>th</sup> Street  
Worth, Illinois 60482  
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LAW OFFICES OF  
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attorneys@cohenandhussien.com

December 8, 2009

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601

RE: S&D Realty, Inc. v. Illinois Environmental Protection Agency  
PCB 09-33

Dear Mr. Halloran:

Enclosed, please find a copy of Petitioner's Waiver of Deadline for Decision and a Notice of Filing, which were sent to the Illinois Pollution Control Board on December 8, 2009.

Should you have any questions, please feel free to contact me.

Sincerely,

*Michael Abel*  
Michael Abel  
MLA/as

Enclosures:

Edward A. Cohen  
Sana'a Hussien  
Michael L. Abel

PARALEGALS  
Maisoun N. Farhoud  
Linda C. Moles

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