

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

METROPOLITAN PIER AND EXPOSITION	)	
AUTHORITY, an Illinois municipal corporation,	)	
	)	
Petitioner,	)	PCB 10-73
	)	(UST Fund Appeal)
v.	)	
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY, an Illinois state agency,	)	
	)	
Respondent.	)	

**NOTICE OF MOTION**

To: Bradley P. Halloran	John Therriault
Hearing Officer	Assistant Clerk
Illinois Pollution Control Board	Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500	100 W. Randolph Street, Suite 11-500
Chicago, IL 60601	Chicago, IL 60601-3218
 James G. Richardson, Esq.	 Gerald T. Karr
Assistant Counsel	Senior Assistant Attorney General
Illinois Environmental Protection Agency	Office of the Attorney General
P.O. Box 19276	Environmental Bureau North
1021 North Grand Avenue, East	69 West Washington Street, Suite 1800
Springfield, IL 62794-9276	Chicago, IL 60602

PLEASE TAKE NOTICE that on October 19, 2010 the undersigned filed with the Clerk of the Illinois Pollution Control Board, via the Clerk's Office On-Line (COOL) System, Metropolitan Pier and Exposition Authority's ***Motion for Extension of Time to File Response to Motion for Summary Judgment*** in the above-entitled cause, a copy of which is attached hereto.

Respectfully submitted,  
By: Emily N. Masalski  
One of the attorneys for Petitioner, Metropolitan Pier and  
Exposition Authority, an Illinois municipal corporation

Kenneth W. Funk, Esq.  
Karen Kavanagh Mack, Esq.  
Emily N. Masalski, Esq.  
Deutsch, Levy & Engel, Chartered  
225 W. Washington Street, Suite 1700  
Chicago, IL 60606  
(312) 346-1460

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Petitioner,	)	PCB 10-73
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ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY, an Illinois state agency,	)	
	)	
Respondent.	)	

**MOTION FOR EXTENSION OF TIME**  
**TO FILE RESPONSE TO MOTION FOR SUMMARY JUDGMENT**

Petitioner, Metropolitan Pier and Exposition Authority ("MPEA"), by its attorneys Kenneth W. Funk, Karen Kavanagh Mack, and Emily N. Masalski of Deutsch, Levy & Engel, Chartered, moves the Illinois Pollution Control Board for an extension of time to file its responsive pleading to the Motion for Summary Judgment of Respondent, Illinois Environmental Protection Agency (the "Agency"), and in support thereof, states as follows:

1. This matter was filed by MPEA on June 25, 2010.
2. Thereafter, the Agency was served with MPEA's Petition.
3. On October 7, 2010, the Agency filed its Motion for Summary Judgment ("Motion") and service of the Motion upon MPEA was effected on October 12, 2010.
4. MPEA's response to the Motion is due to be filed on or before October 26, 2010.
5. Counsel requires further time to thoroughly review the matter and supporting documentation in order to prepare an appropriate pleading responsive to the Motion.
6. MPEA therefore requests an additional forty-five (45) days to file a response to the Agency's Motion for Summary Judgment, to and including December 10, 2010.
7. MPEA has not previously sought additional time to file its responsive pleading to

the Motion.

8. MPEA's request is brought in good faith and not for the purpose of improper delay.

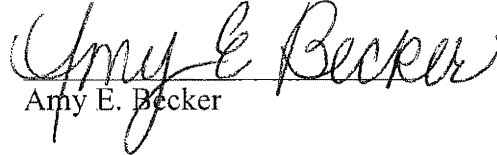
**WHEREFORE**, Petitioner, Metropolitan Pier and Exposition Authority, respectfully requests that the Illinois Pollution Control Board extend the time for it to file its responsive pleading to the Motion for Summary Judgment of Respondent, Illinois Environmental Protection Agency, to and including December 10, 2010, and grant all other relief the Illinois Pollution Control Board deems just and appropriate.

Respectfully submitted,  
By: Emily N. Masalski  
One of the attorneys for Petitioner, Metropolitan Pier and  
Exposition Authority, an Illinois municipal corporation

Kenneth W. Funk, Esq.  
Karen Kavanagh Mack, Esq.  
Emily N. Masalski, Esq.  
Deutsch, Levy & Engel, Chartered  
225 W. Washington Street, Suite 1700  
Chicago, IL 60606

**CERTIFICATE OF SERVICE**

I, Amy E. Becker, a non-attorney, certify that I served a copy of the attached Notice of Motion and Metropolitan Pier and Exposition Authority's ***Motion for Extension of Time to File Response to Motion for Summary Judgment*** upon the above-named persons at the addresses there stated by causing true and correct copies thereof to be placed in a properly addressed envelopes with proper postage affixed and by depositing said envelopes in a U.S. Post Office Mail Box at 225 West Washington Street, Chicago, Illinois 60606, prior to 5:00 p.m. on October 19, 2010.

  
Amy E. Becker