

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

UNITED CITY OF YORKVILLE, A  
MUNICIPAL CORPORATION,

Complainant,

v.

HAMMAN FARMS,,

Respondents.

PCB No. 08-96  
(Enforcement-Land, Air, Water)

**NOTICE OF FILING**

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on January 18, 2011, we electronically filed with the Clerk of the Illinois Pollution Control Board, Respondent Hamman Farms' Agreed Request for Extension of Time, a copy of which is attached hereto and hereby served upon you.

Dated: January 18, 2011

Respectfully submitted,

On behalf of HAMMAN FARMS

/s/Charles F. Helsten

Charles F. Helsten  
One of Its Attorneys

Charles F. Helsten  
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**AGREED MOTION FOR EXTENSION OF TIME**

NOW COMES the Respondent, HAMMAN FARMS, by and through its attorneys, HINSHAW & CULBERTSON LLP, and hereby requests entry of an order extending the existing deadline for the parties to exchange their answers to each other's interrogatories and requests for production by two (2) weeks, stating as follows:

1. On November 24, 2010, Complainant submitted a joint proposed discovery schedule which proposed that the two parties would issue written discovery on or before December 20, 2010.

2. On December 7, 2010, the Hearing Officer entered an order largely adopting the joint proposed schedule and setting December 20, 2010 as the deadline for the parties to serve written discovery upon one another, and setting January 20, 2011 as the deadline for the parties to answer such discovery. The December 7, 2010 order provided that the parties' responses to Requests to Admit, if any, were to be in accordance with Illinois Supreme Court Rules and Illinois Code of Civil Procedure.

3. In accordance with the December 7, 2010 order, Respondent served Complainant with Interrogatories, Requests for Production, and Requests for Admissions on December 20, 2010.

4. On January 14, 2011, Respondent contacted Complainant to inquire whether Complainant would be issuing written discovery pursuant to the December 7, 2010 order. Counsel for Complainant responded that Complainant would not be issuing any discovery beyond what it propounded in March 2009, and instead only seeks answers to that written discovery.

5. Respondent requires additional time to respond because it only learned on January 14, 2011 that Complainant does not intend to issue discovery, and instead seeks answers to discovery it served early in 2009.

6. Counsel for Complainant has indicated that Complainant also requires an extension of time to answer discovery.

7. Counsel for Complainant has reviewed this request for a two (2) week extension of time, and is in agreement with the request.

WHEREFORE: Respondent, Hamman Farms, respectfully requests entry of an order extending the January 20, 2011 deadline for the parties to respond to written discovery by two (2) weeks, to February 4, 2011.

Dated: January 18, 2011

Respectfully submitted,

On behalf of HAMMAN FARMS

/s/ Charles F. Helsten

Charles F. Helsten  
One of Its Attorneys

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Nicola Nelson  
Hinshaw & Culbertson LLP  
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**AFFIDAVIT OF SERVICE**

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on January 18, 2011, she caused to be served a copy of the foregoing upon:

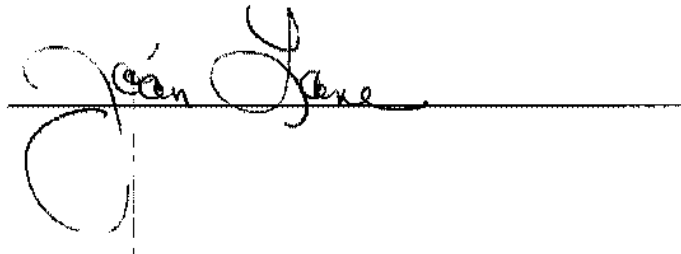
Mr. John T. Therriault, Assistant Clerk  
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Via electronic filing and/or e-mail delivery.

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A handwritten signature, appearing to read "Jean J. Helsten", is written over a horizontal line. The signature is in cursive and includes a large, stylized initial "J".