

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

PEOPLE OF THE STATE OF)	
ILLINOIS)	
)	
Complainant,)	
)	PCB 2010-061 and 2011-002
ENVIRONMENTAL LAW AND)	(Consolidated – Water - Enforcement)
POLICY CENTER, on behalf of PRAIRIE)	
RIVERS NETWORK and SIERRA CLUB,)	
ILLINOIS CHAPTER,)	
)	
Intervenor,)	
)	
v.)	
)	
FREEMAN UNITED COAL)	
MINING CO., L.L.C., and)	
SPRINGFIELD COAL CO., L.L.C.,)	
)	
Respondents.)	

**JOINT MOTION FOR EXTENSION OF TIME TO RESPOND
TO THE PEOPLE OF THE STATE OF ILLINOIS' MOTION
FOR PARTIAL SUMMARY JUDGMENT TO FREEMAN UNITED COAL MINING
COMPANY, LLC, AND SPRINGFIELD COAL COMPANY, LLC**

COMES NOW Respondent, Springfield Coal Company, LLC, and Respondent, Freeman United Coal Mining, Company, LLC (“Respondents”) and pursuant to 35 Ill. Admin. Code §§ 101.516(a) and 101.522, requests an extension of time to respond to the People of the State of Illinois’ Motion (“State of Illinois”) for Partial Summary Judgment dated March 6, 2012 (“Summary Judgment Motion”).

1. The State of Illinois has submitted a nineteen (19) page Summary Judgment Motion and an eighteen (18) page affidavit in support of the Summary Judgment Motion to Respondents. The State of Illinois seeks partial summary judgment on Counts I and II of its Complaint.

2. Respondents respectfully ask the Board to extend the deadline to respond to the Summary Judgment Motion by thirty (30) days until April 27, 2012. This extension of time will allow Respondents to properly respond to the Summary Judgment Motion. The extension of time will not unduly burden any party to this case.

3. On March 13, 2012, Counsel for Springfield Coal corresponded with Counsel for the State of Illinois regarding this request. The State of Illinois has no objection to Respondents having an additional thirty (30) days to respond to the Summary Judgment Motion.

WHEREFORE, Respondents, SPRINGFIELD COAL COMPANY, LLC, and FREEMAN UNITED COAL MINING COMPANY, LLC respectfully asks that the time to respond to the State of Illinois' Summary Judgment Motion be EXTENDED until April 27, 2012.

Dated: March 14, 2012

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NOTICE OF ELECTRONIC FILING

TO:

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PLEASE TAKE NOTICE that on March 14, 2012, I electronically filed with the Clerk of the Pollution Control Board, Springfield Coal Co., LLC's and Freeman United Coal Mining Company, LLC's Joint Motion for Extension of Time to Respond to the People of the State of Illinois' Motion for Partial Summary Judgment, copies of which are herewith served upon you.

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