

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

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

JOINT MOTION FOR EXTENSION OF TIME TO RESPOND TO PRAIRIE RIVERS NETWORK AND SIERRA CLUB'S MOTION FOR SUMMARY JUDGMENT

COME NOW Respondent, Freeman United Coal Mining Company, LLC, and Respondent, Springfield Coal Company, LLC, ("Respondents") and, pursuant to 35 Ill. Admin. Code §§ 101.516(a) and 101.522, request an extension of time to respond to Prairie Rivers Network and Sierra Club's Motion for Summary Judgment dated April 27, 2012 ("Summary Judgment Motion").


1. Prairie Rivers Network and Sierra Club have submitted an eleven (11) page Summary Judgment Motion to Respondents. Prairie Rivers Network and Sierra Club seek summary judgment on Count Two of their Complaint.

2. Respondents respectfully ask the Board to extend the deadline to respond to the Summary Judgment Motion for approximately thirty (30) days, until June 6, 2012. This extension of time will allow Respondents to respond to the Summary Judgment Motion properly. The extension of time will not unduly burden any party to this case.

3. On May 2, 2012, Counsel for Springfield Coal corresponded with Counsel for Prairie Rivers Network and Sierra Club regarding this request. Prairie Rivers Network and Sierra Club have no objection to Respondents' having this additional time to respond to the Summary Judgment Motion.

WHEREFORE, Respondents FREEMAN UNITED COAL MINING COMPANY, LLC, and SPRINGFIELD COAL COMPANY, LLC, respectfully ask that the time to respond to Prairie Rivers Network and Sierra Club's Motion for Summary Judgment Motion be EXTENDED until June 6, 2012.

Dated: May 3, 2012

By: 
One of Its Attorneys

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Attorneys for Respondent
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and

BRYAN CAVE LLP

By: 
One of Its Attorneys

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Attorneys for Respondent, Springfield Coal
Company, LLC

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

PEOPLE OF THE STATE OF ILLINOIS,)

Complainant,)

ENVIRONMENTAL LAW AND 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 COMPANY, L.L.C.,)


Respondents.)

**PCB 2010-061 and 2011-002
(Consolidated – Water – Enforcement)**

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on May 3, 2012, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois FREEMAN UNITED COAL MINING COMPANY, LLC, AND SPRINGFIELD COAL COMPANY, LLC's JOINT MOTION FOR EXTENSION OF TIME TO RESPOND TO PRAIRIE RIVERS NETWORK AND SIERRA CLUB'S MOTION FOR SUMMARY JUDGMENT, a copy of which is attached hereto and herewith served upon you.

By: 
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Attorneys for Respondent

Freeman United Coal Mining Company, LLC,
a Delaware limited liability company

CERTIFICATE OF SERVICE

NOW COMES Steven M. Siros, counsel for Respondent, Freeman United Coal Mining Company, LLC, a Delaware limited liability company, and provides proof of service of the attached FREEMAN UNITED COAL MINING COMPANY, LLC, AND SPRINGFIELD COAL COMPANY, LLC'S JOINT MOTION FOR EXTENSION OF TIME TO RESPOND TO PRAIRIE RIVERS NETWORK AND SIERRA CLUB'S MOTION FOR SUMMARY JUDGMENT and NOTICE OF ELECTRONIC FILING upon the parties listed on the attached Service List, by having a true and correct copy affixed with proper postage placed in the U.S. Mail at Jenner & Block LLP, 353 North Clark Street, Chicago, IL 60654-3456, on May 3, 2012.



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Dated: May 3, 2012

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