

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 ALTIVITY PACKAGING, LLC,)
 a Delaware limited liability company,)
 INTRA-PLANT MAINTENANCE CORPORATION,)
 an Illinois corporation,)
 IRONHUSTLER EXCAVATING, INC.,)
 an Illinois corporation, and)
 RON BRIGHT, d/b/a Quarter Construction,)
)
 Respondents.)

PCB NO. 12-21

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on March 27, 2013, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Ste. 11-500, Chicago, IL 60601, COMPLAINANT'S RESPONSE TO SECOND MOTION FOR EXTENSION OF TIME FILED BY RESPONDENTS IRONHUSTLER EXCAVATING, INC., AND RON BRIGHT, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 
 Raymond J. Callery
 Assistant Attorney General
 Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: March 27, 2013

CERTIFICATE OF SERVICE

I hereby certify that I did on March 27, 2013, cause to be served by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING and COMPLAINANT'S RESPONSE TO SECOND MOTION FOR EXTENSION OF TIME FILED BY RESPONDENTS IRONHUSTLER EXCAVATING, INC., AND RON BRIGHT upon the persons listed on the Service List.

A handwritten signature in black ink, appearing to read "R. J. Callery", written over a horizontal line.

Raymond J. Callery
Assistant Attorney General

This filing is submitted on recycled paper.

SERVICE LIST

Intra-Plant Maintenance Corporation
c/o Charles M. Rock
Hasselberg Rock Bell & Kuppler LLP
Suite 200 Associated Bank Building
4600 North Brandywine Drive
Peoria, IL 61614

Altivity Packaging, L.L.C.
c/o Eleni Kouimelis & Wm. O'Neal
Winston & Strawn LLP
35 W. Wacker Dr.
Chicago, IL 60601

Ironhustler Excavating, Inc., & Ron Bright, d/b/a Quarter Construction
c/o Thomas J. Immel
Feldman Wasser Draper & Cox
PO Box 2418
1307 South Seventh Street
Springfield, IL 62705

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 N. Grand Avenue East
Springfield, IL 62794

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
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 Complainant,)
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 v.)
)
 ALTIVITY PACKAGING, L.L.C.,)
 a Delaware limited liability company,)
 INTRA-PLANT MAINTENANCE)
 CORPORATION, an Illinois corporation,)
 IRONHUSTLER EXCAVATING, INC.,)
 an Illinois corporation, and RON BRIGHT,)
 d/b/a QUARTER CONSTRUCTION,)
)
 Respondents.)

PCB No. 12-021
(Enforcement - Land)

COMPLAINANT'S RESPONSE TO SECOND MOTION FOR EXTENSION OF TIME FILED BY RESPONDENTS IRONHUSTLER EXCAVATING, INC. AND RON BRIGHT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, responds to the Second Motion for Extension of Time filed by Respondents IRONHUSTLER EXCAVATING, INC. and RON BRIGHT ("Respondents"), as follows:

1. Complainant's Motion for Summary Judgment was filed on August 10, 2012.
2. Complainant initially agreed to delay hearing on the Motion for Summary Judgment so that Respondents' counsel could take certain discovery depositions.
3. The discovery depositions were taken in November 2012.
4. On January 8, 2013, the deadline for Respondents to respond to the Motion for Summary Judgment was set for January 31, 2012.
5. On January 29, 2012, Complainant, at Respondents' request, agreed to extend the response deadline until February 28, 2013.
6. On February 26, 2013, Respondents filed their First Motion for Extension of

Time seeking to extend the deadline for responding to the Motion for Summary Judgment until March 28, 2013.

7. On March 11, 2013, the Hearing Officer extended the Respondents' deadline through March 28, 2013.

8. On March 27, 2013, Respondents IRONHUSTLER EXCAVATING, INC. and RON BRIGHT filed their Second Motion for Extension of Time.

9. Complainant objects to Respondents' Second Motion for Extension of Time.

WHEREFORE, the Complainant prays that the Board through its Hearing Officer enter an order denying the Second Motion for Extension of Time filed herein by IRONHUSTLER EXCAVATING, INC. and RON BRIGHT, d/b/a QUARTER CONSTRUCTION.

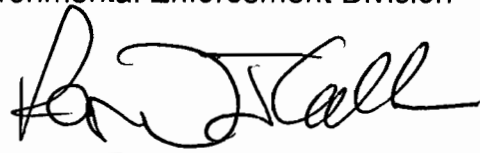
Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN,

Attorney General
Of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement Division

BY:



RAYMOND J. CALLERY
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
(217) 782-9031

Date: March 27, 2013.