

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
vs.)	PCB No. 2009-107
)	(Enforcement: Air)
)	
TATE AND LYLE INGREDIENTS)	
AMERICAS, INC., an Illinois corporation,)	
)	
Respondent)	

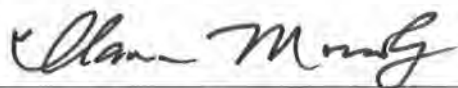
NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on November 21, 2013, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO COMPLAINANT'S MOTION TO STRIKE , a copy of which is attached hereto and served upon you.

DATED: November 21, 2013

Respectfully submitted,
TATE AND LYLE INGREDIENTS
AMERICAS LLC

By 
One of Its Attorneys

James L. Curtis
Jeryl L. Olson
Ilana R. Morady
SEYFARTH SHAW LLP
131 South Dearborn Street
Suite 2400
Chicago, Illinois 60603
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CERTIFICATE OF SERVICE

Ilana R. Morady, an attorney, certifies that she caused a true and correct copy of the enclosed NOTICE OF FILING and RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO COMPLAINANT'S MOTION TO STRIKE to be served via U.S Mail, postage prepaid, this 21st day of November, 2013.

To: Christine Zeivel
Environmental Bureau
Assistant Attorney General
500 South Second Street
Springfield, Illinois 62706

Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794



Ilana R. Morady

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Complainant,)	
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**RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO COMPLAINANT'S MOTION TO STRIKE**

Respondent, TATE AND LYLE INGREDIENTS AMERICAS LLC, by and through its attorneys, Seyfarth Shaw LLP, moves the Illinois Pollution Control Board ("Board"), pursuant to 35 Ill. Adm. Code 101.522, for a sixty (60) day extension of time to respond to Complainant's Motion to Strike Respondent's Affirmative Defenses. Complainant does not oppose this Motion. In support of this Motion, Respondent states as follows:

1. On November 4, 2013, Complainant filed its Motion to Strike Respondent's Affirmative Defenses ("Motion") with the Board. Complainant served its Motion via U.S. Mail on November 5, 2013 and Respondent received the Motion on November 12, 2013.
2. Under the Board's General Rules, the deadline for filing a response to a motion is ordinarily fourteen (14) days after service. Ill. Adm. Code 101.500(d). Service is deemed complete four days after mailing. Ill. Adm. Code 101.300(c). Therefore, the current deadline for Respondent to file a response to Complainant's Motion is November 25, 2013.
3. Due to the time needed to analyze Complainant's legal arguments, as well as the upcoming holidays and other business obligations, Respondent requests an additional sixty (60) days (until January 24, 2014) to file a response to Complainant's Motion.
4. The Board's General Rules allows for Motions for Extension of Time as follows:

The Board or hearing officer, for good cause shown on a motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time. 35 Ill. Adm. Code 101.522.

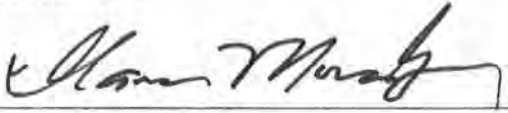
5. Counsel for Respondent has spoken with counsel for Complainant and Complainant has no objection to this motion.

6. Respondent makes this Motion in good faith and not for purposes of delay.

WHEREFORE, Respondent moves for an extension of time until January 24, 2014 to file a response to Complainant's Motion to Strike Respondent's Affirmative Defenses.

DATED: November 21, 2013

Respectfully submitted,
TATE AND LYLE INGREDIENTS
AMERICAS LLC

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