

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS	)	
	)	
Complainant,	)	
	)	PCB 04-137
v.	)	(Enforcement)
	)	
CII Carbon, L.L.C.,	)	
	)	
Respondent.	)	


**NOTICE OF FILING**

**To: See Attached Service List**

**PLEASE TAKE NOTICE** that on **Friday, June 5, 2015**, I filed with the Office of the Clerk of the Pollution Control Board, **Respondent's Motion Requesting An Extension To Answer Complainant's Third Amended Complaint**, copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

CII CARBON, L.L.C.

BY: 

Roy M. Harsch, Esq.  
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**This Filing Is Being Submitted Electronically**

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CII Carbon, L.L.C.,	)	
	)	
Respondent.	)	

**RESPONDENT'S MOTION REQUESTING AN EXTENSION  
TO ANSWER COMPLAINANT'S THIRD AMENDED COMPLAINT**

NOW COMES Respondent, CII Carbon, L.L.C., (hereinafter, "CII"), by and through its attorneys, and respectfully requests that the Hearing Officer grant this motion requesting an extension of time to submit its answer to Complainant's Third Amended Complaint. In support thereof, CII states as follows:

1. Complainant filed its Motion for Leave to File Third Amended Complaint and Third Amended Complaint on March 17, 2015.
2. Pursuant to the hearing officer's order dated April 27, 2015, CII's answer to the Third Amended Complaint is due on June 5, 2015.
3. CII limited environmental staff and plant management have been involved in responding to other matters and have not been available to assist in finalizing the answer to the Third Amended Complaint.
4. CII requires additional time to submit its answer and, respectfully, requests an extension until June 12, 2015.

5. CII has confirmed the above with Assistant Attorney Evan McGinley, attorney for Complainant; and, attorney for Complainant indicated that the State has no objections to this request.

6. The parties will be not prejudiced by extending the due date until June 12, 2015.

WHEREFORE, for all the foregoing reasons, CII respectfully requests that the Hearing Officer grant its Motion Requesting an Extension to Answer Complainant's Third Amended Complaint until June 12, 2015.

Respectfully submitted,

CII CARBON, L.L.C.

BY: \_\_\_\_\_



Dated: June 5, 2015

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing **Respondent's Motion Requesting An Extension To Answer Complainant's Third Amended Complaint** was filed electronically with the Clerk of the Illinois Pollution Control Board and served upon the parties below by U.S. First Class Mail and Electronic Mail on Friday, June 5, 2015

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