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**STATE OF ILLINOIS**  
**Pollution Control Board**

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**NOTICE OF FILING AND PROOF OF SERVICE**

  
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NOW COMES Petitioner, BROADUS OIL, through its undersigned counsel, and hereby requests a three week extension, to and until August 31, 2006, within which to file its response to the pending motion for summary judgment filed by Respondent Illinois Environmental Protection Agency (hereinafter "IEPA"). In support of the motion, Petitioner states as follows:

1. The IEPA filed a motion for summary judgment on or about May 8, 2006.
2. By order entered June 8, 2006, the Hearing Officer directed Petitioner to file a response on or before August 10, 2006. That order contemplated that Petitioner would be able to complete a Freedom of Information Act review of the relevant file in time to file that response.
3. Contrary to expectations, Petitioner was unable to review the file pursuant to the Freedom of Information Act until August 4, 2006.
4. At this time, Petitioner has had insufficient time to review the documents obtained from the Freedom of Information Act review, and to fully respond to the IEPA's pending motion.
5. Accordingly, Petitioner requests an additional three weeks, to and until August 31, 2006, within which to file its response to the pending motion.

6. To assure no prejudice to the Board or parties, Petitioner herewith submits an additional waiver of the decision deadline, waiving that deadline an additional ninety days.
7. This motion is being made in good faith, and not for any improper or dilatory purpose. Allowance of the motion will provide Petitioner the opportunity to fully address the arguments raised in the IEPA's motion for summary judgment, but should prejudice no one.

WHEREFORE, Petitioner, BROADUS OIL, requests an extension of time to and until August 31, 2006, within which to file its response to the motion for summary judgment filed by Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY.

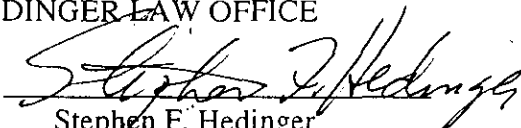
Respectfully submitted,

BROADUS OIL,  
Petitioner,

By its attorney,

HEDINGER LAW OFFICE

By

  
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