

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

UNITED CITY OF YORKVILLE, A
MUNICIPAL CORPORATION,
Petitioner,

v.

HAMMAN FARMS,
Respondent.

PCB No. 08-96

Enforcement-Land, Air, Water

RECEIVED
CLERK'S OFFICE

FEB 07 2011

STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

TO: SEE PERSONS ON ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today filed with the Office of Clerk of the Illinois Pollution Control Board, an original and nine copies each of PETITIONER'S MOTION FOR EXTENSION OF TIME, copies of which are herewith served upon you.

Respectfully submitted,

UNITED CITY OF YORKVILLE,
Petitioner,

By: Michelle M. LaGrotta
One of its Attorneys

Dated: February 7, 2011

Thomas G. Gardiner
Michelle M. LaGrotta
GARDINER KOCH & WEISBERG
53 W Jackson Blvd., Ste. 950
Chicago, IL 60604
(312) 362-0000
Atty ID: 29637

THIS FILING IS SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, Michelle M. LaGrotta, the undersigned certify that on February 7, 2011, I have served the attached **PETITIONER'S MOTION FOR EXTENSION OF TIME**, upon:

Mr. John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218
(via hand delivery)

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Ste. 11-500
100 W Randolph Street
Chicago, IL 60601
(via hand delivery)

Charles F. Helsten
Nicola A. Nelson
Hinshaw & Culbertson
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
(via email to: NNelson@hinshawlaw.com and CHelsten@hinshawlaw.com, and U.S. Mail)



Michelle M. LaGrotta

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A municipal corporation,

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PETITIONER'S MOTION FOR EXTENSION OF TIME

NOW COMES, Petitioner, United City of Yorkville, by and through its attorneys, Gardiner Koch Weisberg & Wrona, and hereby requests entry of an order extending the existing deadline for the parties to exchange their answers to each other's interrogatories and requests for production by two (2) weeks, stating as follows:

1. On November 24, 2010, Complainant submitted a joint proposed discovery schedule which proposed that the two parties would issue written discovery on or before December 20, 2010 and submit answers to such discovery on or before January 20, 2011.
2. On December 7, 2010, the Hearing Officer entered an order largely adopting the joint proposed schedule, including the January 20, 2011 date for answering discovery.
3. On January 18, 2011, Respondent, Hamman Farms, filed an Agreed Motion for Extension of Time requesting two additional weeks to answer discovery.
4. On January 20, 2011, the Hearing Officer entered an order, which granted the Agreed Motion for Extension of Time and set the time to answer discovery to February 4, 2011.

5. Petitioner requires additional time to respond because the Clerk of the United City of Yorkville indicated that she is still reviewing large amounts of documents to determine whether the documents are responsive to the discovery requests. Additionally, the United City of Yorkville currently is without an information technology assistant, and without such an assistant, the Clerk of the United City of Yorkville has not been able to go through electronic databases quickly.
6. Counsel for Respondent has reviewed this request for a two (2) weeks extension of time, and is in agreement with the request.

WHEREFORE, Petitioner, United City of Yorkville, respectfully requests that the entry of an Order extending the February 4, 2011 deadline for the parties to respond to written discovery by two (2) weeks to February 18, 2011.

Respectfully submitted,

UNITED CITY OF YORKVILLE



One of Its Attorneys

Dated: February 7, 2011

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