

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
vs. )  
)  
INDUSTRIAL ENCLOSURE )  
CORPORATION, an Illinois corporation, )  
)  
Respondent. )

PCB No. 2012-27  
(Enforcement – Land)

**RECEIVED**  
CLERK'S OFFICE  
OCT 05 2011  
STATE OF ILLINOIS  
Pollution Control Board

**ORIGINAL**

**NOTICE OF FILING**

TO: Zemeheret Bereket-Ab  
Assistant Attorney General  
Environmental Bureau  
69 W. Washington St., 18<sup>th</sup> Flr.  
Chicago, IL 60602  
(312) 814-3816

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on October 5, 2011, I filed with the Office of the Clerk of the Illinois Pollution Control Board an AGREED MOTION FOR AN EXTENSION OF TIME TO ANSWER, NOTICE OF FILING, AND CERTIFICATE OF SERVICE on behalf of Industrial Enclosure Corporation, a copy of which is attached and herewith served upon you.

Dated: October 5, 2011

Respectfully submitted,

By:   
ADAM M. MEEK

Adam M. Meek, # 6207308  
BROWN, UDELL, POMERANTZ & DELRAHIM, LTD.  
1332 North Halsted Street, Suite 100  
Chicago, Illinois 60642  
312.475.9900 (Main)  
312.475.1188 (Fax)

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PEOPLE OF THE STATE OF ILLINOIS, )

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INDUSTRIAL ENCLOSURE )  
CORPORATION, an Illinois corporation, )

Respondent. )

**ORIGINAL**

**AGREED MOTION FOR AN EXTENSION OF TIME TO ANSWER**

NOW COMES Respondent, INDUSTRIAL ENCLOSURE CORPORATION (“IEC”), by and through its attorney, Adam M. Meek, of the law firm BROWN, UDELL, POMERANTZ & DELRAHIM, LTD., with the agreement of Assistant Attorney General Zemeheret Bereket-Ab, on behalf of Complainant, PEOPLE OF THE STATE OF ILLINOIS (“State”), and hereby moves Hearing Officer Bradley P. Halloran, or any Officer sitting in his stead, to enter an order granting this agreed motion for an extension of time for Respondent to answer, and in support thereof states as follows:


1. The State filed its Complaint against IEC with the Illinois Pollution Control Board (“the Board”) on Tuesday, August 16, 2011.
2. IEC was served with the Complaint on Saturday, August 20, 2011.
3. Pursuant to Section 103.204(d) of the Board’s Procedural Rules, 35 Ill. Adm. Code 103.204(d), IEC has until sixty days from the date of service of the Complaint to file an answer to the Complaint.
4. IEC’s current deadline to file an answer is Wednesday, October 19, 2011.

5. IEC and the State are discussing the possibility of settlement of the alleged claims found in the Complaint, which may result in a settlement of the allegations in the Complaint without requiring the time and expense of a hearing before the Board.
6. IEC and the State agree that, to facilitate settlement discussions, IEC's deadline for responding to the Complaint with an answer is extended for sixty ("60") days from the current due date of IEC's answer.
7. Accordingly, IEC requests an additional sixty-day extension of time to Monday, December 19, 2011, in which to file an answer.
8. This Motion does not prejudice either party and is not brought for the purpose of delay, but rather to facilitate settlement discussions between IEC and the State.

WHEREFORE, Respondent respectfully requests that the Board enter an order extending the time period within which Respondent is required to answer to Monday, December 19, 2011, and grant any other relief the Board deems appropriate.

Dated: October 5, 2011

Respectfully submitted,

By:   
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OCT 05 2011

STATE OF ILLINOIS  
Pollution Control Board

**CERTIFICATE OF SERVICE**

I, ADAM M. MEEK, the undersigned, certify that, on this 5<sup>th</sup> day of October 2011, I caused to be personally served the attached AGREED MOTION FOR AN EXTENSION OF TIME TO ANSWER, NOTICE OF FILING, and CERTIFICATE OF SERVICE, upon the following persons:

Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601

ORIGINAL

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601

and by U.S. Mail, first class postage prepaid, to the following person:

Zemeheret Bereket-Ab  
Assistant Attorney General  
Environmental Bureau  
69 W. Washington St., 18<sup>th</sup> Flr.  
Chicago, IL 60602  
(312) 814-3816

Dated: October 5, 2011

By:   
ADAM M. MEEK

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