

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
LISA MADIGAN, Attorney General of the)
State of Illinois,)

December 19, 2012

Complainant,)

v.)

PCB No. 13-19
(Enforcement – Land)

SHERIDAN-JOLIET LAND)
DEVELOPMENT, LLC,)
an Illinois limited-liability company,)
and SHERIDAN SAND & GRAVEL CO.,)
an Illinois corporation,)

Respondents.

NOTICE OF FILING

TO: Mr. Kenneth Anspach, Esq.
Anspach Law Office
111 West Washington Street
Suite 1625
Chicago, IL 60602

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

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the Complainant's Motion for Leave to File a Response, a Notice of Filing, and a Certificate of Service on behalf of the People of the State of Illinois, a copy of which is attached and herewith served upon you.



ZEMEHERET BEREKET-AB
Assistant Attorney General
Environmental Bureau

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
LISA MADIGAN, Attorney General of the)
State of Illinois,)

Complainant,)

v.)

SHERIDAN-JOLIET LAND)
DEVELOPMENT, LLC,)
an Illinois limited-liability company,)
and SHERIDAN SAND & GRAVEL CO.,)
an Illinois corporation,)

VIA ELECTRONIC FILING

PCB No. 13-19
(Enforcement – Land)

Respondents.

MOTION FOR LEAVE TO FILE A RESPONSE

Complainant, People of the State of Illinois, respectfully moves the Board to grant its motion for leave to file a response. In support of its motion, Complainant states as follows:

1. On November 30, 2012, Respondent's attorney filed an appearance along with a Motion to Strike and Dismiss the Complaint.
2. On December 3, 2012, Complaint was served with Respondent's Motion to Strike and Dismiss.
3. Pursuant to Board Procedural Rules 101.500(d), Complaint had to file its response within 14 days of receipt of the motion or by December 17, 2012.
4. As of today, two days have passed from the date of filing of the response.
5. Due to urgent litigation matters that needed Complainant's immediate attention, and due to the fact that the persons that Complainant needed to consult with in order to file a proper response have been away on vacation, Respondent was not able to file its response by December 17, 2012.
6. Moreover, Complainant's attorney will be out of the office from December 20, 2012, and will not return to the office before January 7, 2013.
7. In order to properly respond to Respondent's motion, Complainant needs to consult with various persons at the client agency. At this time of the year, many of the persons that Complainant needs to consult with are away from the office.
8. The extension of time to file a response will not result in any prejudice to the Respondent. On the contrary it will aid the Board in evaluating and weighing the legal and factual arguments made by both parties to the issue.

Therefore, for the forgoing reasons, Complaint respectfully requests that the Board

grant its motion for leave to file a response and grant Complaint until January 25, 2013, to file its response.

Respectfully submitted,



Zemeheret Bereket-Ab
Assistant Attorney General
Environmental Bureau
69 West Washington St., Suite 1800
Chicago, Illinois 60602
(312) 814-3816

CERTIFICATE OF SERVICE

I, ZEMEHERET BEREKET-AB, an Assistant Attorney General, do certify that I caused to be served on this 19th day of December 2012, the foregoing Notice of Filing, a Motion for Leave to File a Response, upon Mr. Kenneth Anspach, via Certified mail by placing same in an envelope bearing sufficient postage with the United States Postal Service located at 100 West Randolph Street, Chicago, Illinois.



ZEMEHERET BEREKET-AB