

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

PEOPLE OF THE STATE OF ILLINOIS,

JUN 11 2003

Complainant,

STATE OF ILLINOIS
Pollution Control Board

vs.

PCB No. 00-104
(Enforcement)

THE HIGHLANDS, LLC, an Illinois limited
liability corporation, MURPHY FARMS, INC.,
a/k/a MURPHY FAMILY FARMS, a North
Carolina corporation, and BION
TECHNOLOGIES, INC., a Colorado
corporation,

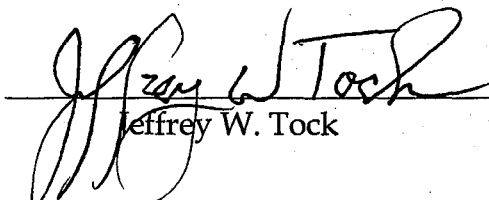
Respondents.

NOTICE OF FILING

To: Ms. Jane E. McBride
Assistant Attorney General
Environmental Bureau
500 S. Second Street
Springfield, IL 62706

Mr. Charles M. Gering
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606-5096

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board a Motion for Extension of Time Within Which to File a Response to Complainant's Amended Complaint, a copy of which is herewith served upon you.


Jeffrey W. Tock

June 6, 2003

Jeffrey W. Tock
Harrington, Tock & Royse
201 W. Springfield Avenue, Suite 601
P.O. Box 1550
Champaign, IL 61824-1550
Telephone: (217) 352-4167

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Complainant,

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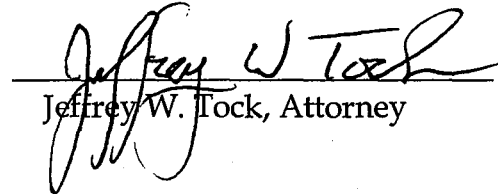
PCB No. 00-104
(Enforcement)

**MOTION DIRECTED TO THE HEARING OFFICER FOR
EXTENSION OF TIME WITHIN WHICH TO RESPOND TO
COMPLAINANT'S AMENDED COMPLAINT**

COMES NOW the Respondent The Highlands, L.L.C. by its attorneys,
Harrington, Tock & Royse, and respectfully moves the Hearing Officer for an
extension of time within which to respond to the Amended Complaint in this
matter and, in support thereof, states as follows:

1. By Hearing Officer Order dated March 19, 2003, this Respondent was required to answer or otherwise plead to the Amended Complaint of the Complainant on or before June 6, 2003.
2. Although counsel for The Highlands has been working diligently in preparation of a response to the Amended Complaint, the response is not ready to be filed as of June 6, 2003 as previously ordered.
3. On June 6, 2003, counsel for The Highlands spoke with Ms. Jane McBride of the Illinois Attorney General's office and inquired as to whether or not the Illinois Attorney General's office had any objection to an extension of 7 days for the Respondent to file its response to the Amended Complaint. Ms. McBride, on behalf of the office of the Illinois Attorney General, stated that she had no objection to the extension requested.

WHEREFORE, the Respondent The Highlands, LLC respectfully requests that the time within which it is required to respond to the Amended Complaint be extended through Friday, June 13, 2003.


Jeffrey W. Tock, Attorney

Prepared by:

Jeffrey W. Tock
Harrington, Tock & Royse
201 W. Springfield Avenue
P.O. Box 1550
Champaign, IL 61824-1550
Telephone: (217) 352-4167

CERTIFICATE OF SERVICE

I hereby certify that I did on June 6, 2003, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled Motion for Extension of Time Within Which to File a Response to Complainant's Amended Complaint

To: Ms. Jane E. McBride
Assistant Attorney General
Environmental Bureau
500 S. Second Street
Springfield, IL 62706

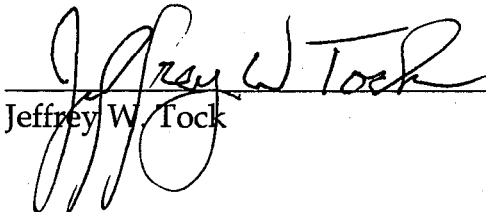
Mr. Charles M. Gering
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606-5096

and the original and four copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph, Suite 11-500
Chicago, IL 60601

a copy was also sent by First Class Mail with postage thereon fully prepaid

To: Mr. Brad Holloran, Hearing Officer
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph, Suite 11-500
Chicago, IL 60601


Jeffrey W. Tock