

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CITY OF NASHVILLE, ILLINOIS,	)	
a municipal corporation,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 14-113
	)	
SISCO CORPORATION, d/b/a SISCO	)	
BOX CORPORATION, an Illinois	)	
Corporation,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Mr. John Therriault	Carol Webb, Esq.
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **MOTION FOR EXTENSION OF TIME**, copies of which are herewith served upon you.

Respectfully submitted,  
SISCO CORPORATION, d/b/a SISCO  
BOX CORPORATION,  
Respondent,

Dated: April 10, 2014

By: /s/ Edward W. Dwyer  
One of Its Attorneys

Edward W. Dwyer  
Ethan S. Pressly  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, Edward W. Dwyer, the undersigned, hereby certify that I have served the attached MOTION FOR EXTENSION OF TIME upon:

John T. Therriault  
Clerk of the Board  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

via electronic mail on April 10, 2014; and upon:

Carol Webb, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Post Office Box 19274  
Springfield, Illinois 62794-9274

Raymond Kolvwier, Mayor  
City of Nashville  
190 N. East Court Street  
Nashville, Illinois 62263

William C. DeMoss, City Attorney  
Hohlt, House, DeMoss & Epplin  
146 E. St. Louis Street  
P. O. Box 249  
Nashville, Illinois 62263

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on April 10, 2014.

/s/ Edward W. Dwyer  
Edward W. Dwyer

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CITY OF NASHVILLE, ILLINOIS,	)	
a municipal corporation,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 14-113
	)	
SISCO CORPORATION, d/b/a SISCO	)	
BOX CORPORATION, an Illinois	)	
Corporation,	)	
	)	
Respondent.	)	

**MOTION FOR EXTENSION OF TIME**

NOW COMES Respondent, SISCO CORPORATION, d/b/a SISCO BOX CORPORATION, an Illinois Corporation (hereinafter referred to as "Sisco"), by and through their attorneys, HODGE DWYER & DRIVER and hereby requests an extension of time for thirty-days (30) days upon entry of an Order in which to file its Answer or other responsive pleading in this matter. According to the Illinois Pollution Control Board's ("Board") regulations, a motion to dismiss a citizen's enforcement proceeding as "duplicative" or "frivolous" must be filed within thirty-days from receipt of service unless a motion for extension is filed with the Board. 35 Ill. Admin. Code § 103.212(b). In support of this Motion, Sisco states as follows:

1. Sisco received the City of Nashville's (the "City") formal Complaint in this matter on February 25, 2014. Thus, Sisco's Motion to Dismiss in this matter was originally due on March 27, 2014.
2. On March 27, 2014, Sisco requested an extension of time to file its initial pleadings in this matter, as HODGE DWYER & DRIVER ("HD&D") was only recently engaged to represent Sisco.

3. Additionally, HD&D requested additional time to receive a full copy of the JPAcoustics Report attached to the Complaint.

3. On March 27, 2014, HD&D moved for an extension of time for an additional fourteen (14) days, or on April 10, 2014, in which to file its initial response.

4. Since the filing of the March 27, 2014 motion, the City has shared the full JPAcoustics report attached to the Complaint.

5. Meanwhile, Sisco has engaged in efforts to address the alleged sources of noise raised in the City's complaint.

6. HD&D attorneys also have begun discussions with the City in an effort to potentially resolve the matter. Based upon information and belief, HD&D requests the additional time to allow the parties to attempt to reach a resolution and forego any need to expend resources in preparing an initial response to the Complaint.

7. HD&D attorneys have conferred with council for the City regarding the filing of this Motion for Extension of Time and the City has no objections to this motion.

WHEREFORE, for the above and foregoing reasons, Respondent, SISCO CORPORATION, d/b/a SISCO BOX CORPORATION, respectfully requests that this Court grant their Motion for Extension of Time to Answer for thirty-days (30) upon entry of an Order in which to file its Answer or other responsive pleadings.

Respectfully submitted,

SISCO CORPORATION, d/b/a SISCO  
BOX CORPORATION,  
Respondent,

By: /s/ Edward W. Dwyer  
Edward W. Dwyer

Dated: April 10, 2014

Edward W. Dwyer  
Ethan S. Pressly  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

SISC 293.000/Filings/MET-30 Days