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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FEB 17 2004

MATE TECHNOLOGIES, INC.

Complainant,

v.

F.I.C. AMERICA CORPORATION,

Respondent.

STATE OF ILLINOIS
Pollution Control Board

PCB No. 2004-075
(Enforcement X)

COMPLAINANT'S RESPONSE TO
FIC'S MOTION FOR LEAVE TO FILE REPLY BRIEF INSTANTER

Complainant Mate Technologies, Inc. ("Mate") hereby responds to Respondent FIC America Corporation's ("FIC" or "Respondent") "Motion for Leave to File Reply Brief Instanter" (the "Motion"). The purpose of this filing is to advise the Board as follows:

1. Mate does not intend to substantively oppose the Motion, although Mate disagrees with the positions stated therein (and although FIC has not shown that it will suffer any material prejudice in absence of filing its reply, as required by 35 Ill. Adm.Code §101.500(e)).
2. Therefore, from Mate's perspective, there exists no impediment to the Board's ruling on FIC's motion to dismiss, or alternatively, strike, at its meeting on February 19, 2004.

Respectfully submitted,

MATE TECHNOLOGIES, INC.

By: 
Carey S. Rosemarin

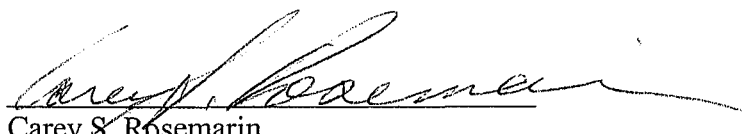
Carey S. Rosemarin (Atty. No. 6181911)
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CERTIFICATE OF SERVICE

I, Carey S. Rosemarin, an attorney, hereby certify that I caused a copy of the foregoing "Complainant's Response to FIC's Motion for Leave to File Reply Brief Instantly" to be served upon:

Jeremy A. Gibson, Esq.
Mitchell S. Chaban, Esq.
Masuda, Funai, Eifert & Mitchell, Ltd.
One E. Wacker Dr.
Suite 3200
Chicago, IL 60601-2002

by regular U.S. Mail, on February 16, 2004.



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