

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
SIERRA CLUB, ENVIRONMENTAL)	
LAW AND POLICY CENTER,)	
PRAIRIE RIVERS NETWORK, and)	
CITIZENS AGAINST RUINING THE)	
ENVIRONMENT,)	
)	
Complainants,)	
)	
v.)	PCB No-2013-015
)	(Enforcement – Water)
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

NOTICE OF FILING

To: Attached Service List

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board the attached **MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINANTS' MOTION *IN LIMINE* TO EXCLUDE EXPERT TESTIMONY OF DAVID CALLEN**, copies of which are served on you along with this notice.

Respectfully submitted:
MIDWEST GENERATION, LLC.

By /s/ Kristen L. Gale
One of Its Attorneys

Dated: May 26, 2016

Jennifer T. Nijman
Kristen L. Gale
NIJMAN FRANZETTI LLP
10 South LaSalle Street, Suite 3600
Chicago, IL 60603
312-251-5255

SERVICE LIST

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Respondent, Midwest Generation LLC's Motion for Extension of Time to Respond To Complainants' *Motion in Limine* to Exclude Expert Testimony of David Callen filed electronically on May 26, 2016 with the following:

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

and that true copies were mailed by First Class Mail, postage prepaid, on May 26, 2016 to the parties listed on the foregoing Service List.

/s/ Kristen L. Gale

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**MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINANTS’
MOTION *IN LIMINE* TO EXCLUDE EXPERT TESTIMONY OF DAVID CALLEN**

Respondent, Midwest Generation, LLC, (“MWG”) by and through counsel, requests that the Illinois Pollution Control Board (“Board”) enter an order extending the time to response to Complainants’ Motion *In Limine* to Exclude Expert Testimony of David Callen. In support of its motion, Respondent states the following:

1. On May 19, 2016, Complainants filed a Motion *In Limine* to Exclude Expert Testimony of David Callen and a Memorandum in Support of the Motion.
2. Pursuant to Board Rule 101.500(d), responses to motions are due within 14 days after the motion is filed, and the Parties may request that the Board grant more time to respond. 35 Ill. Adm. Code 101.500(d).
3. Due to a long scheduled vacation for MWG’s counsel, MWG is requesting a one week extension to respond to the motion.
4. Complainants have agreed to the extension of the time to respond to their motion.

WHEREFORE, MWG respectfully requests an extension of time allowing them until June 10, 2016, to respond to Complainants' Motion to *In Limine*.

MIDWEST GENERATION, LLC.

By /s/ Kristen L. Gale
One of Its Attorneys

May 26, 2016

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