

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB NO. 10-84
	)	(Enforcement)
PROFESSIONAL SWINE	)	
MANAGEMENT, LLC, an Illinois limited	)	
liability corporation, and HILLTOP VIEW,	)	
LLC, an Illinois limited liability corporation,	)	
WILDCAT FARMS, LLC, an Illinois limited	)	
liability corporation, HIGH-POWER PORK,	)	
LLC, an Illinois limited liability corporation,	)	
EAGLE POINT FARMS, LLC, an Illinois	)	
Limited liability corporation, LONE	)	
HALLOW, LLC, an Illinois limited liability	)	
corporation, TIMBERLINE, LLC, an Illinois	)	
limited liability corporation, PRAIRIE	)	
STATE GILTS, LTD, an Illinois	)	
corporation LITTLE TIMBER, LLC, an	)	
Illinois limited liability corporation,	)	
	)	
Respondents.	)	

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Carol Webb, Esq.
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 62794-9276
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA U.S. MAIL)</b>

**(PLEASE SEE ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board RESPONDENT WILDCAT FARMS, LLC'S

**THIS FILING SUBMITTED ON RECYCLED PAPER**

SECOND MOTION FOR EXTENSION OF TIME TO ANSWER COMPLAINANT'S  
SECOND AMENDED COMPLAINT, a copy of which is herewith served upon you.

Respectfully submitted,

WILDCAT FARMS, LLC

Respondents,

Dated: July 15, 2013

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

Edward W. Dwyer, #6197577  
Jennifer M. Martin, #6210218  
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 RESPONDENT WILDCAT FARMS, LLC'S SECOND MOTION FOR EXTENSION OF TIME TO ANSWER COMPLAINANT'S SECOND AMENDED COMPLAINT upon:

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

via electronic mail on July 15, 2013; and upon:

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

Jane E. McBride, Esq.  
Assistant Attorney General  
Office of the Attorney General  
500 South Second Street  
Springfield, Illinois 62706

Claire A. Manning, Esq.  
Brown, Hay & Stephens LLP  
205 South Fifth Street, Suite 700  
Post Office Box 2459  
Springfield Illinois 62705-2459

Joel A. Benoit  
Fred C. Prillaman  
Mohan, Alewelt, Prillaman & Adami  
#1 North Old State Capital Plaza  
Suite 325  
Springfield, Illinois 62701-1323

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois, on July 15, 2013.

/s/Edward W. Dwyer  
Edward W. Dwyer

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corporation LITTLE TIMBER, LLC, an	)	
Illinois limited liability corporation,	)	
	)	
Respondents.	)	

**RESPONDENT WILDCAT FARMS, LLC'S  
SECOND MOTION FOR EXTENSION OF TIME TO  
ANSWER COMPLAINANT'S SECOND AMENDED COMPLAINT**

NOW COMES Respondent, WILDCAT FARMS, LLC (“Respondent” or “Wildcat Farms”), by and through its attorneys, HODGE DWYER & DRIVER, and hereby moves the Illinois Pollution Control Board (“Board”) or assigned hearing officer pursuant to 35 Ill. Admin. Code § 101.522 and Illinois Supreme Court Rule 183, to enter an Order granting the Respondent, an extension of an additional 28 days, in which to file its Answer or other responsive pleading in the instant matter. In support of its Motion, Respondents state as follows:

1. “The [Illinois Pollution Control] Board or hearing officer, for good cause shown on a motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time.” 35 Ill. Admin. Code § 101.522.

2. On May 2, 2013, the Board denied all Respondents’ Joint Motion to Strike Part of the Complaint’s Prayer for Relief and directed all Respondents to answer the People of the State of Illinois (“the State”) Second Amended Complaint (“Complaint”) by June 17, 2013.

3. Counsel for Wildcat has been in contact with counsel for the State to resume settlement discussions that had stalled in late 2012.

4. On June 14, 2013, Wildcat requested an additional thirty (30) days, to respond to the Second Amended Complaint, which the Board granted on June 19, 2013.

5. On Friday July 12, 2013, the counsel for the State presented settlement documents to Wildcat to review.

6. Review of the settlement documents, consultation between Wildcat and its legal counsel, and responding to the State will take more than the two days until Wildcat’s Answer is due. Wildcat requests 28 additional days to review the settlement documents, and determine whether the parties are able to proceed toward a settlement of the claims in Count II of the Second Amended Complaint.

7. Counsel for Wildcat and the counsel for the State have conferred regarding this Motion and the State has concurred with its filing.

8. No material prejudice or harm will be caused to any other party if the Board does grant the request of Wildcat for an extension of time to answer the Complaint.

9. For the reasons stated above, good cause exists under 35 Ill. Admin. Code § 101.522, and Illinois Supreme Court Rule 183, to grant the Respondent's instant Motion.

WHEREFORE, for the reasons stated above, Respondent Wildcat Farms, LLC, requests the Hearing Officer or Board to enter an Order granting its Second Motion for an additional 28 days, in which to file its Answer or otherwise respond to the State's Complaint in order to continue settlement negotiations with the State.

Respectfully submitted,

WILDCAT FARMS, LLC,

Respondent,

Dated: July 15, 2013

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

Edward W. Dwyer  
Jennifer M. Martin  
HODGE DWYER & DRIVER  
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