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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD MAR 09 2004

PEOPLE OF THE STATE OF ILLINOIS,

Complainant,

v.

MARC REALTY, INC., an Illinois corporation, 11 EAST ADAMS L.L.C., an Illinois limited liability company, and ROBERTS ENVIRONMENTAL CONTROL, INC., an Illinois corporation,

Respondents.

STATE OF ILLINOIS  
Pollution Control Board

PCB No. 04-100

(Enforcement - Air)

NOTICE OF FILING

TO: See Attached Service List.

PLEASE TAKE NOTICE that on March 9, 2004, we filed with the Clerk of the Illinois Pollution Control Board, an original and nine (9) copies of an Appearance on behalf of Respondent, Roberts Environmental Control, Inc., and Roberts Environmental Control Corp.'s Motion to Vacate Any and All Technical Defaults and For an Extension of Time to File Answer or Otherwise Plead, copies of which are served herewith.

Respectfully submitted,

ROBERTS ENVIRONMENTAL  
CONTROL, INC.

By:   
One of its Attorneys

Edward L. Filer, Esq.  
Cara M. Mastrian, Esq.  
FagelHaber, LLC  
55 East Monroe Street, 40<sup>th</sup> Floor  
Chicago, Illinois 60603  
Phone: (312) 346-7500  
Attorney No.: 90041

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CERTIFICATE OF SERVICE

Cara M. Mastrian, an attorney, certifies that she caused a true and correct copy of the **Appearance and Roberts Environmental Control Corp.'s Motion to Vacate Any and All Technical Defaults and For an Extension of Time to File Answer or Otherwise Plead** to be served upon the parties listed on the attached Service List via hand delivery before the hour of 5:00 p.m., on this 9<sup>th</sup> day of March, 2004.



\_\_\_\_\_  
Cara M. Mastrian

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SERVICE LIST

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph Street  
Chicago, IL 60601

Christopher P. Perzan, Esq.  
Assistant Attorney General  
Environmental Bureau  
188 West Randolph St., 20<sup>th</sup> Floor  
Chicago, IL 60601

Michael J. Quinn  
Seyfarth Shaw  
55 East Monroe Street  
Suite 4200  
Chicago, IL 60603

Dorothy M. Gunn  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph Street  
Chicago, IL 60601

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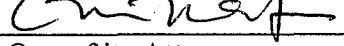
PCB No. 04-100

(Enforcement – Air)

APPEARANCE

Cara M. Mastrian and Edward L. Filer of the law firm of FagelHaber LLC, hereby enter their appearance on behalf of Respondent, Roberts Environmental Control, Inc., in the above entitled cause and as attorneys therein.

ROBERTS ENVIRONMENTAL  
CONTROL, INC.

By:   
One of its Attorneys

Edward L. Filer, Esq.  
Cara M. Mastrian, Esq.  
FagelHaber, LLC  
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**PCB No. 04-100**

(Enforcement – Air)

**ROBERTS ENVIRONMENTAL CONTROL CORP.'S MOTION TO  
VACATE ANY AND ALL TECHNICAL DEFAULTS AND FOR  
AN EXTENSION OF TIME TO FILE ANSWER OR OTHERWISE PLEAD**

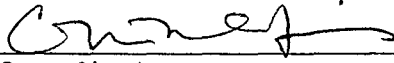
Roberts Environmental Control Corp. ("REC"), by and through its attorneys, respectfully requests that any and all technical defaults entered against it be vacated and that it be granted an extension of time to file its answer or otherwise plead. In support of this motion, REC states as follows:

1. The complaint in this matter was filed on December 22, 2003.
2. REC recently hired counsel to represent it in this matter.
3. Counsel for REC filed its appearance contemporaneously with this motion.
4. REC requests additional time to investigate the issues and discuss settlement with all parties involved.
5. On February 27, 2004, respondent, Marc Realty, Inc., was granted an extension of time to file its answer to and including May 27, 2004.

WHEREFORE, respondent, Roberts Environmental Control Corp., respectfully requests that any and all technical defaults entered against it be vacated, and that it be granted an extension of time to file its answer, or otherwise plead, to and including May 27, 2004.

Respectfully Submitted,

**ROBERTS ENVIRONMENTAL CONTROL CORP.**

By:   
One of its Attorneys

Edward L. Filer, Esq.  
Cara M. Mastrian, Esq.  
FagelHaber, LLC  
55 East Monroe Street, 40<sup>th</sup> Floor  
Chicago, Illinois 60603  
Phone: (312) 346-7500  
Attorney No.: 90041

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