

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MORTON F. DOROTHY,)
)
Complainant,)
)
v.) PCB No. 05-49
)
FLEX-N-GATE CORPORATION,)
an Illinois corporation,)
)
Respondent.)

NOTICE OF FILING

TO: Ms. Dorothy M. Gunn Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)

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

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board Respondent Flex-N-Gate Corporation's **RESPONSE TO MOTION FOR TIME TO RESPOND**, a copy of which is herewith served upon you.

Respectfully submitted,

FLEX-N-GATE CORPORATION,
Respondent,

Dated: June 7, 2005

By: /s/ Thomas G. Safley
One of Its Attorneys

Thomas G. Safley
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, Thomas G. Safley, the undersigned, certify that I have served the attached

RESPONSE TO MOTION FOR TIME TO RESPOND upon:

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

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

via electronic mail on June 7, 2005; and upon:

Mr. Morton F. Dorothy
804 East Main
Urbana, Illinois 61802

by depositing said documents in the United States Mail in Springfield, Illinois, postage prepaid, on June 7, 2005.

/s/ Thomas G. Safley
Thomas G. Safley

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RESPONSE TO MOTION FOR TIME TO RESPOND

NOW COMES Respondent, FLEX-N-GATE CORPORATION (“Flex-N-Gate”), by and through its attorneys, HODGE DWYER ZEMAN, and for its Response to Motion for Time to Respond, states as follows:

1. Complainant has moved the Illinois Pollution Control Board (“Board”) to grant him until June 24, 2005, to respond to Flex-N-Gate’s Motion for Partial Summary Judgment and Motion for Summary Judgment as to All Counts of Complainant’s Complaint.

2. Flex-N-Gate has no objection to the Board, or the Hearing Officer (see 35 Ill. Admin. Code § 101.522), granting Complainant’s Motion for Time to Respond.

Respectfully submitted,

FLEX-N-GATE CORPORATION
Respondent,

Dated: June 7, 2005

By: /s/ Thomas G. Safley
One of Its Attorneys

Thomas G. Safley
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GWST:003/Fil/Response to Motion for Time to Respond