

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|--|---|-----------------------|
| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| by KWAME RAOUL, Attorney General |) | |
| of the State of Illinois, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB No. 22 - 34 |
| |) | (Enforcement - Water) |
| CITY OF HOOPESTON, an Illinois municipal |) | |
| corporation, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Complainant's Motion for an Extension of Time to Respond to Respondent's Motion to Strike or Dismiss Complaint, a copy of which is herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
by KWAME RAOUL, Attorney General
of the State of Illinois

BY: /s/ Kevin D. Bonin
 KEVIN D. BONIN, #6294877
 Assistant Attorney General
 Environmental Bureau
 Illinois Attorney General's Office
 500 South 2nd Street
 Springfield, Illinois 62701
 Ph: (217) 782-5055
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 kevin.bonin@ilag.gov

Service List

For the Respondent

David K. Cox
Attorney for Respondent
110 North Charter Street
Monticello, Illinois 61856
mayorcox@cox-lawfirm.com
Via E-Mail

For the Illinois Pollution Control Board

Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
carol.webb@illinois.gov
Via E-Mail

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| CITY OF HOOPESTON, an Illinois municipal |) | |
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| |) | |
| Respondent. |) | |

**MOTION FOR AN EXTENSION OF TIME TO RESPOND TO RESPONDENT’S
MOTION TO STRIKE OR DISMISS COMPLAINT**

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, and pursuant to Section 101.500(d) of the Board’s regulations, 35 Ill. Adm. Code 101.500(d), moves for an extension of time to file a response to Respondent’s Motion to Strike or Dismiss Complaint. In support of this motion, Complainant states as follows:

1. On January 13, 2022, Complainant filed its Complaint with the Illinois Pollution Control Board, naming the City of Hoopeston as Respondent.
2. On January 19, 2022, the Complaint was served on Respondent by certified mail.
3. On February 15, 2022, Respondent filed its Motion to Strike or Dismiss Complaint (“Respondent’s Motion”).
4. Complainant’s response to Respondent’s Motion is currently due on July 29, 2022.
5. Complainant and counsel for Respondent are engaged in continuing settlement discussions, and Complainant requests an extension of time to file its response to Respondent’s Motion until September 27, 2022.

6. Counsel for Respondent has been advised of Complainant's request for an extension of time to respond, and counsel for Respondent indicated that he has no objections to Complainant's request.

7. Granting of this Motion will not result in prejudice to any party or participant.

8. No hearing is scheduled in this matter.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Illinois Pollution Control Board enter an Order granting this Motion for an Extension of Time to Respond to Respondent's Motion to Strike or Dismiss Complaint, extending the deadline for Complainant to file its response to September 27, 2022.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
by KWAME RAOUL, Attorney General
of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: /s/ Kevin D. Bonin
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CERTIFICATE OF SERVICE

I hereby certify that I did on July 28, 2022 send by electronic mail true and correct copies of the documents entitled NOTICE OF FILING and MOTION FOR AN EXTENSION OF TIME TO RESPOND TO RESPONDENT'S MOTION TO STRIKE OR DISMISS COMPLAINT to:

David K. Cox
Attorney for Respondent
mayorcox@cox-lawfirm.com

Carol Webb, Hearing Officer
Illinois Pollution Control Board
carol.webb@illinois.gov

/s/ Lilia M. Brown
Lilia M. Brown
Administrative Secretary

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/ Lilia M. Brown
Lilia M. Brown
Administrative Secretary