

ILLINOIS POLLUTION CONTROL BOARD
June 5, 1997

GORDON KRAUTSACK, an individual,)	
)	
Complainant,)	
)	
v.)	PCB 95-143
)	(Enforcement - Citizens)
BHOGILAL PATEL, an individual,)	
SUBHASH PATEL, an individual, and)	
ELECTRONIC INTERCONNECT, INC.,)	
an Illinois Corporation, and ELECTRONIC)	
INTERCONNECT CORPORATION, an)	
Illinois Corporation,)	
)	
Respondents.		

ORDER OF THE BOARD (by R.C. Flemal):

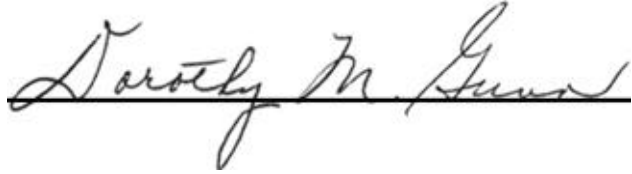
This matter is before the Board on Electronic Interconnect Corporation's (EIC) June 3, 1997 motion for extension of time to respond to complainant's motion for partial summary judgment. Also on June 3, 1997, complainant filed a response to EIC's motion.

EIC requests an extension of time to file its response. The request is for 90 days from the date of the filing of complainant's motion for partial summary judgment. Pursuant to 35 Ill. Adm. Code 103.140(c), EIC is allowed seven days to respond to complainant's motion. EIC lists several reasons for the request including counsel's vacation, lengthy depositions of respondents Bhogilal Patel and Subhash Patel, and the need to hire an expert witness. Complainant objects to granting EIC a 90 day extension and believes it will prejudice the complainant. Complainant argues that EIC has been a respondent in this matter since November 1995, giving adequate time to acquire an expert witness, and EIC's less than dilatory action over the past 19 months whereby EIC did not respond to complainant's discovery until repeated hearing officer orders. However, complainant has no objection to granting EIC an extension through June 30, 1997.

The Board finds EIC has not shown sufficient reasons to grant a lengthy, 90-day extension. However the Board hereby grants EIC until June 30, 1997 to file an answer to complainant's motion for partial summary judgment.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 5th day of June, 1997, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board