

DEC 16 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,

Complainant,

v.

THE HIGHLANDS, LLC, an Illinois
limited liability corporation, and MURPHY
FARMS, INC., (a division of MURPHY-
BROWN, LLC, a Delaware limited
liability corporation, and SMITHFIELD
FOODS, INC., a Virginia corporation),

Respondents.

No. PCB No. 00-104
(Enforcement)

**RESPONDENT MURPHY FARMS, INC.'S MOTION FOR
EXTENSION OF TIME TO FILE REPLY BRIEF IN SUPPORT OF
MOTION TO DISMISS SECOND AMENDED COMPLAINT**

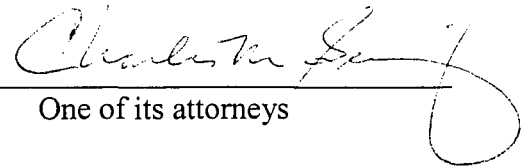
Respondent Murphy Farms, Inc. ("Murphy Farms"), by its attorneys, hereby moves the Board to extend the time for Murphy Farms to file its reply brief in support of its motion to dismiss Complainant's Second Amended Complaint by six days, through December 22, 2004. In support of its motion, Respondent states as follows:

1. In the Hearing Officer Order dated December 6, 2004, the Board set a deadline of December 16, 2004 for Murphy Farms to file its reply brief in support of its motion to dismiss Complainant's Second Amended Complaint.
2. Murphy Farms' internal review of its reply brief is not yet complete, but it anticipates that it will be prepared to file its brief on December 22, 2004.
3. No hearing date has been set in this matter.
4. Respondent's counsel has discussed this matter with counsel for the Complainant, and Complainant's counsel has agreed to the requested extension.

WHEREFORE, Respondent Murphy Farms, Inc. respectfully requests that the Board grant this Motion and enter an Order granting Respondent a six-day extension, through December 22, 2004, to file its reply brief in support of its motion to dismiss Complainant's Second Amended Complaint.

Dated: December 16, 2004

MURPHY FARMS, INC.

By: 
One of its attorneys

Charles M. Gering
McDermott, Will & Emery
227 West Monroe Street
Chicago, Illinois 60606
(312) 372-2000

CHI99 4405563-1.047331.0013

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PEOPLE OF THE STATE OF ILLINOIS)
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Complainant,) PCB No. 00-104
) (Enforcement)
v.)
)
THE HIGHLANDS, L.L.C., et al.,)
)
Respondents.)

NOTICE OF FILING

To:	Bradley Halloran Hearing Officer Illinois Pollution Control Board James R. Thompson Center, Suite 11-500 100 West Randolph Chicago, Illinois 60601	Jane E. McBride Assistant Attorney General Environmental Law Bureau Office of the Illinois Attorney General 500 South Second Street Springfield, Illinois 62706
	Jeffrey W. Tock Harrington, Tock & Royse Huntington Towers, Suite 601 201 West Springfield Avenue P.O. Box 1550 Champaign, Illinois 61824-1550	

PLEASE TAKE NOTICE that on December 16, 2004, we filed with the Illinois Pollution Control Board the attached Respondent Murphy Farms, Inc.'s Motion for Extension of Time to File Reply Brief in Support of Motion To Dismiss Second Amended Complaint, copies of which are hereby served upon you.

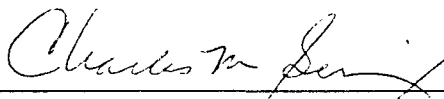
Respectfully submitted,

MURPHY FARMS, INC.

Dated: December 16, 2004

Charles M. Gering
McDermott, Will & Emery
227 West Monroe Street
Chicago, Illinois 60606
(312) 372-2000

By:


One of its attorneys

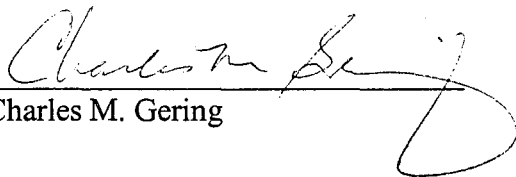
CERTIFICATE OF SERVICE

I, the undersigned attorney, certify that on December 16, 2004, I served the attached Respondent Murphy Farms, Inc.'s Motion for Extension of Time to File Reply Brief in Support of Motion To Dismiss Second Amended Complaint and the foregoing Notice of Filing upon the following individuals by facsimile and by U.S. Mail with proper postage prepaid:

Bradley Halloran
Hearing Officer
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