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STATE OF ILLINOIS
Pollution Control Board

PCB NO. 97-179
(Enforcement)

Respondent.

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: November 14, 2005

CERTIFICATE OF SERVICE

I hereby certify that I did on November 14, 2005, send through facsimile pursuant to the Hearing Office and also send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and REQUEST FOR EXTENSION OF TIME IN WHICH TO RESPOND TO RESPONDENT'S MOTION TO STRIKE, AND MOTION FOR STAY OF DISCOVERY SCHEDULE

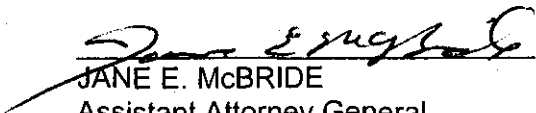
To: Patrick M. Flachs
John Collins
Husch & Eppenger LLC
190 Carondelet Plaza, Ste. 600
St. Louis, MO 63105
Fax (314) 480-1505

and the original and five copies by facsimile and also by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601
Fax (312) 814-3669

A copy was also sent by First Class Mail with postage thereon fully prepaid to:

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794
Fax (217) 524-8508



JANE E. McBRIDE

Assistant Attorney General

This filing is submitted on recycled paper.

response, as well as respond to the motion to strike. Counsel for Complainant has been obligated by other litigation matters and unable to complete Complainant's response to the motion to strike. Further, Complainant needs to complete additional internal discussion regarding the settlement proposals.

7. Complainant, late on November 10, 2005, received Respondent's second amended interrogatories.

8. Complainant has been diligently working on its response and reply, but the requirement to thoroughly exhaust internal discussions regarding both the particulars of the motion to strike and the pending settlement proposal, which entails consultation with multiple layers of assigned personnel and management, in combination with the large volume of work involved with responding to Respondent's interrogatories now that they are available as well as the press of counsel's other litigation obligations, has resulted in a need for additional time.

WHEREFORE, Complainant respectfully requests an extension of time in which to respond to Respondent's motion to strike and a stay of the pending discovery schedule for a period of two weeks. Should the Hearing Officer grant Complainant's request, Complainant's

response shall be due November 29, 2005, and the new written discovery deadline will be December 28, 2005.


Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General
of the State of Illinois

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

BY:


JANE E. MCBRIDE
Assistant Attorney General

500 South Second Street
Springfield, Illinois 62706
(217) 782-9031
Dated: November 14, 2005