

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

C&F PACKING COMPANY, INC., an	)	
Illinois corporation,	)	
	)	
Petitioner,	)	
	)	PCB 06-053
v.	)	(Water-Variance)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY and LAKE	)	
COUNTY,	)	
	)	
Respondents.	)	

**NOTICE OF MOTION**

TO: All counsel of record.

PLEASE TAKE NOTICE that on **Thursday, December 22, 2005 at 10:00 a.m. CST**, Counsel for Petitioner C&F Packing Company, Inc. will appear in a telephonic status hearing, **Toll Free Dial in Number 1-888-476-3757, Participant Code 460377** before Hearing Officer, Bradley P. Halloran, Illinois Pollution Control Board and then and there present the attached **MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS OF RESPONDENT ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND TO RESPONDENT COUNTY OF LAKE'S COMBINED MOTION TO DISMISS AND OBJECTION TO C&F PACKING COMPANY'S REQUEST FOR VARIANCE**, a copy of which is attached hereto.

Dated: December 16, 2005

Respectfully submitted,

**C&F PACKING COMPANY, INC.**

By:



\_\_\_\_\_  
One of its Attorneys

Brett D. Heinrich  
Matthew E. Cohn  
MECKLER BULGER & TILSON LLP  
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Suite 1800  
Chicago, IL 60606  
Tel: (312) 474-7900  
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Attorneys for Plaintiff

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C&F PACKING COMPANY, INC., an	)	
Illinois corporation,	)	
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Petitioner,	)	
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ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY and LAKE	)	
COUNTY,	)	
	)	
Respondents.	)	

**MOTION FOR EXTENSION OF TIME TO RESPOND**  
**TO MOTION TO DISMISS OF RESPONDENT ILLINOIS ENVIRONMENTAL**  
**PROTECTION AGENCY AND TO RESPONDENT COUNTY OF LAKE'S**  
**COMBINED MOTION TO DISMISS AND OBJECTION TO C&F PACKING**  
**COMPANY'S REQUEST FOR VARIANCE**

Counsel for Petitioner C&F Packing Company, Inc., Brett D. Heinrich and Matthew E. Cohn, contacted Counsel for Respondent Lake County, Daniel L. Jasica, and Counsel for Respondent Illinois Environmental Protection Agency ("IEPA"), Charles Gunnarson, on the afternoon of December 15, 2005. Since the status hearing on December 8, 2005, there has been significant progress in settlement discussions of the connection fee dispute between Lake County and Petitioner. Those discussions included the participation of interested parties Village of Lake Villa and the Village of Fox Lake. Consequently, Petitioner requested from Counsel for Respondents to have until January 20, 2006 to respond to both the IEPA's Motion to Dismiss and Lake County's Combined Motion to Dismiss and Objection. Counsel for Respondents did not oppose this request.

Petitioner therefore requests that the Board enter an order extending the time for Petitioner to respond to both the IEPA's Motion to Dismiss and Lake County's Combined Motion to Dismiss and Objection to January 20, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matthew E. Cohn', written over a horizontal line.

Matthew E. Cohn

Dated: December 16, 2005  
Brett D. Heinrich  
Matthew E. Cohn  
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**CERTIFICATE OF SERVICE**

I, Matthew E. Cohn, an attorney, certify that on December 16, 2005, I served the foregoing **MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS OF RESPONDENT ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND TO RESPONDENT COUNTY OF LAKE'S COMBINED MOTION TO DISMISS AND OBJECTION TO C&F PACKING COMPANY'S REQUEST FOR VARIANCE** by causing true and correct copies of same to be sent via U.S. Mail.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, IL 60601

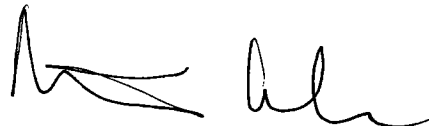
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Bradley P. Halloran, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, IL 60601

A handwritten signature in black ink, appearing to read 'Matthew E. Cohn', written over a horizontal line.

Matthew E. Cohn