

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
vs.)	No. PCB 04-16
)	(Enforcement – Air)
PACKAGING PERSONIFIED, INC., an Illinois)	
corporation,)	
)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

TO: Mr. Roy Harsch	Mr. Bradley P. Halloran
Ms. Yesenia Villasenor-Rodriguez	Hearing Officer
Drinker Biddle & Reath LLP	Illinois Pollution Control Board
191 North Wacker Drive, Suite 3700	100 W. Randolph
Chicago, IL 60606	Chicago, IL 60601

PLEASE TAKE NOTICE that on the 19th day of August, 2009, Complainant filed a Joint Motion for an Extension of Time with the Clerk of the Illinois Pollution Control Board by electronic filing, a true and correct copy of which is attached and herewith served upon you.

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN,
Attorney General of the State of Illinois

By: *Paula Becker Wheeler*
PAULA BECKER WHEELER
Assistant Attorney General

Paula Becker Wheeler, AAG
L. Nichole Cunningham, AAG
Environmental Bureau
69 W. Washington, Suite 1800
Chicago, Illinois 60602
(312) 814-1511

Dated: August 19, 2009

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2009, true and correct copies of the **Notice of Filing** and the **Joint Motion for an Extension of Time**, were hand-delivered to the persons listed on the Notice of Filing.

BY: Paula B. Wheeler
PAULA BECKER WHEELER
Assistant Attorney General

It is hereby certified that the foregoing were electronically filed with the Clerk of the Board on August 19, 2009:

Pollution Control Board, Attn: Clerk
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

BY: Paula Becker Wheeler
PAULA BECKER WHEELER
Assistant Attorney General

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JOINT MOTION FOR AN EXTENSION OF TIME

Complainant, PEOPLE OF THE STATE OF ILLINOIS (“People”), by LISA MADIGAN, Attorney General of the State of Illinois and Respondent, PACKAGING PERSONIFIED, INC., jointly submit a Motion for an Extension of Time for filing the post-hearing briefs, pursuant to 35 Ill. Adm. Code 101.500(d), and/or 35 Ill. Adm. Code 101.522. The Complainant and Respondent request the following schedule: Complainant to file its Post-Hearing Brief on or before September 25, 2009, Respondent to file its Post-Hearing Brief on or before October 30, 2009, and Complainant to file its Reply on or before November 20, 2009. In support of this Motion, the Complainant and Respondent state as follows:

1. The Complainant’s Post-Hearing Brief is currently scheduled to be filed on August 21, 2009.
2. One of the Complainant’s attorneys has been on a one-month trip out of the country that was planned before the Hearing Date and could not be cancelled or postponed without incurring cancellation fees. The other Complainant’s attorney has been working on an emergency Section 43(a) referral that was related to one of her pending cases, so it could not be assigned to another attorney.

3. Respondent's attorney has a trip planned for out of the country in September and early October.

4. The Hearing before the Hearing Officer took place over two days. The issues in the case are complicated, the Amended Complaint contains twelve counts alleging various air violations, and two expert witnesses testified about the economic benefit of noncompliance.

5. The Complainant and Respondent will not be prejudiced by the granting of additional time to respond.

Wherefore, for the above reasons, Complainant and Respondent respectfully request that the Board grant their Joint Motion for an extension of time to file Post-Hearing briefs as follows:

- a. Complainant to file its Post-Hearing Brief on or before September 25, 2009;
- b. Respondent to file its Post-Hearing Brief on or before October 30, 2009; and
- c. Complainant to file its Reply on or before November 20, 2009.

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN, Attorney General

By: Paula Becker Wheeler
Ms. Paula Becker Wheeler
Assistant Attorney General
Environmental Bureau
69 West Washington, Suite 1800
Chicago, Illinois 60602
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PACKAGING PERSONIFIED, INC.

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