

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 DIVERSIFIED LABELING SOLUTIONS,)
 INC., an Illinois corporation,)
)
 Respondent.)
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PCB No. 2013-25
(Enforcement – Air)

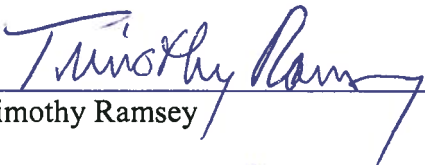
RECEIVED
CLERK'S OFFICE
DEC 21 2012
STATE OF ILLINOIS
Pollution Control Board

ORIGINAL
RETURN TO CLERK'S OFFICE

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Agreed Motion for Extension of Time for Diversified Labeling Solutions, Inc. to Answer Complaint, a copy of which is herewith served upon you.



Timothy Ramsey

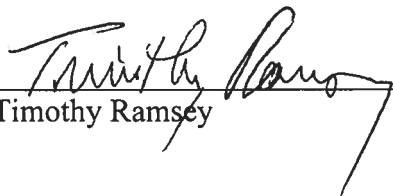
Dated: December 21, 2012

Timothy Ramsey
UNGARETTI & HARRIS LLP
70 W. Madison, Ste. 3500
Chicago, Illinois 60602
312-977-4428
*Attorneys for Respondent
Diversified Labeling Solutions, Inc.*

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached **Notice of Filing**, via U.S. mail, upon the following persons:

Nancy J. Tikalsky
Assistant Attorney General
Environmental Bureau North
69 West Washington Street, Suite 1800
Chicago, Illinois 60602



Timothy Ramsey

Dated: December 24, 2012

Timothy Ramsey
UNGARETTI & HARRIS LLP
70 W. Madison, Ste. 3500
Chicago, Illinois 60602
312-977-4428
Attorneys for Respondent
Diversified Labeling Solutions, Inc.

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AGREED MOTION FOR EXTENSION OF TIME FOR
DIVERSIFIED LABELING SOLUTIONS, INC.
TO ANSWER COMPLAINT

Complainant, People of the State of Illinois, by Lisa Madigan, Attorney General of the State of Illinois (“People”), and Respondent, Diversified Labeling Solutions, Inc. (“Diversified”), by and through its counsel, Ungaretti & Harris LLP, respectfully request that the Illinois Pollution Control Board (the “Board”) grant an extension of time for Diversified to answer, pursuant to 35 Ill. Adm. Code § 103.204(d), the Complaint filed by the People against Diversified. In support thereof, the People and Diversified state as follows:

1. On December 6, 2012, the People filed its Complaint with the Board. Service of the Complaint was effected by certified mail, received by Diversified on December 10, 2012. As such, pursuant to 35 Ill. Adm. Code § 103.204(d), Diversified’s answer to the Complaint is currently due on or before February 8, 2013.
2. The People and Diversified are making good and substantial progress toward settlement of the State’s allegations in the Complaint.

3. Based on the Board's procedures for settlement including required public notice of any proposed stipulation for settlement, it is likely that these procedures would not be completed by February 8, 2013.

4. Given the substantial progress toward settlement, extension of the date required for Diversified to answer the Complaint is justified in order to avoid the burden and expense that would be imposed on Diversified by filing an answer, which will probably be unnecessary given the likelihood of settlement.

5. The People and Diversified believe that a 60-day extension of the date required for Diversified to answer the Complaint will allow sufficient time for completion of the steps required to complete any settlement.

6. This Motion is not being brought for purposes of undue delay, is brought in good faith, and will not prejudice any party to this proceeding.

WHEREFORE Complainant, People of the State of Illinois, by Lisa Madigan, Attorney General of the State of Illinois, and Respondent, Diversified Labeling Solutions, Inc., respectfully request that an Order be entered extending the deadline for Diversified Labeling Solutions to answer the Complaint for sixty (60) days, *i.e.*, until April 9, 2013.

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Respectfully submitted,

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

By: Nancy J. Tikalsky
NANCY J. TIKALSKY
Assistant Attorney General
Environmental Bureau
69 W. Washington St., Suite 1800
Chicago, Illinois 60602
(312) 814-8567

DIVERSIFIED LABELING SOLUTIONS,
INC.

By: Timothy Ramsey
One of its Attorneys


Timothy Ramsey
UNGARETTI & HARRIS LLP
70 W. Madison, Ste. 3500
Chicago, Illinois 60602
312-977-4428
*Attorneys for Respondent
Diversified Labeling Solutions, Inc.*

Dated: December 21, 2012

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached **Agreed Motion for Extension of Time for Diversified Labeling Solutions, Inc. to Answer Complaint**, via U.S. mail, upon the following person:

Nancy J. Tikalsky
Assistant Attorney General
Environmental Bureau North
69 West Washington Street, Suite 1800
Chicago, Illinois 60602



Timothy Ramsey

Dated: December 21, 2012

Timothy Ramsey
UNGARETTI & HARRIS LLP
70 W. Madison, Ste. 3500
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312-977-4428
Attorney for Respondent
Diversified Labeling Solutions, Inc.