



ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

OCT 25 2013

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 MONTALBANO BUILDERS, INC., )  
 an Illinois Corporation, CORTLAND-I-88, LLC, )  
 an Illinois limited liability company, )  
 MBC XIV, LLC, a revoked Delaware limited )  
 liability company, RB RESOLUTION )  
 PROPERTIES, LLC, an Illinois limited liability )  
 company, and DOUGLAS JOHNSON, an )  
 individual, )  
 )  
 Respondents. )

PCB No. 10-20  
(Enforcement – Water)

**NOTICE OF FILING**

TO: See attached Service List.

PLEASE TAKE NOTICE that on October 25, 2013, there was filed with the Clerk of the Illinois Pollution Control Board **Cortland-I-88, LLC's Motion for Extension of Time to Hearing Officer Bradley P. Halloran**, a copy of which is herewith served upon you.

**Cortland-I-88, LLC**

One of Its Attorneys

Tina B. Solis  
Jamie A. Robinson  
Ungaretti & Harris, LLP  
70 W. Madison Street  
Suite 3500  
Chicago, Illinois 60602  
312-977-4400  
*Attorneys for Respondent*  
*CORTLAND-I-88 LLC*

**CERTIFICATE OF SERVICE**

I, Jamie Robinson, the undersigned attorney, certify that on October 25, 2013 I caused to be served the attached **Notice of Filing** and **Cortland-I-88, LLC's Motion for Extension of Time to Hearing Officer Bradley P. Halloran** via U.S. mail upon the following persons:

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

Evan J. McGinley  
Zemeheret Bereket-AB  
Assistant Attorney General  
Environmental Bureau North  
69 W. Washington Street  
Suite 1800  
Chicago, Illinois 60602

Anthony P. Montalbano  
Registered Agent  
Montalbano Builders, Inc.  
1010 Jorie Blvd.  
Suite 130  
Oakbrook, Illinois 60523-4442

Gina Krol  
105 W. Madison Street  
Suite 1100  
Chicago, Illinois 60602

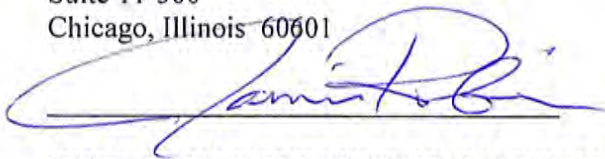
Edward P. Freud  
Michael B. Bregman  
Ruff Weidenaar & Reidy, Ltd.  
222 N. LaSalle Street  
Suite 700  
Chicago, Illinois 60601

Douglas Johnson  
1811 W. Forestview Drive  
Sycamore, Illinois 60548-2204

National Registered Agents, Inc.  
MBC XIV, LLC  
200 W. Adams Street  
Suite 2007  
Chicago, Illinois 60606

MBC, XIV, LLC  
Anthony Montalbano, Manager  
1801 S. Meyers Road #500  
Oakbrook Terrace, Illinois 60181

John Therriault  
Assistant Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601



**THIS FILING SUBMITTED ON RECYCLED PAPER**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

OCT 25 2013

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS )

Complainant, )

v. )

PCB No. 20-10-20  
(Enforcement – Water)

MONTALBANO BUILDERS, INC., )  
an Illinois Corporation, CORTLAND-I-88, LLC, )  
an Illinois limited liability company, )  
MBC XIV, LLC, a revoked Delaware limited )  
liability company, RB RESOLUTION )  
PROPERTIES, LLC, an Illinois limited liability )  
company, and DOUGLAS JOHNSON, an )  
individual, )

Respondents. )

**CORTLAND-I-88, LLC'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME  
TO HEARING OFFICER BRADLEY P. HALLORAN**

Respondent, Cortland-I-88, LLC, ("Cortland"), by and through its counsel, Ungaretti & Harris LLP, respectfully requests that Hearing Officer Bradley P. Halloran grant Cortland an additional fourteen (14) days, until November 11, 2013, to answer or otherwise respond to the Second Amended Complaint filed by Complainant, People of the State of Illinois (the "State"), pursuant to 35 Ill. Adm. Code § 101.522. In support thereof, Cortland states as follows:

1. On June 11, 2013, the State filed its Second Amended Complaint. On July 2, 2013, Cortland, by and through its counsel, agreed to a waiver of service.
2. Since the filing of the Second Amended Complaint, Cortland and the State have been engaged in on going settlement discussions, which included a visit to the subject site with Cortland's engineer and a representative from the Illinois Environmental Protection Agency.
3. On September 26, 2013, the parties participated in a telephonic status conference.

# Exhibit A

RECEIVED  
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SEP 27 2013

ILLINOIS POLLUTION CONTROL BOARD  
September 27, 2013

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS )  
)  
Complainant, )  
)  
v. ) PCB 10-20  
) (Enforcement – Water)  
MONTALBANO BUILDERS, INC., an Illinois )  
corporation, CORTLAND-I-88, LLC, an )  
Illinois limited liability company, and MBC )  
XIV, LLC, a revoked Delaware limited liability )  
company, RB RESOLUTION PROPERTIES, )  
LLC, an Illinois limited liability company, and )  
DOUGLAS J. JOHNSON, an individual, )

Respondents.

**HEARING OFFICER ORDER**

On September 26, 2013, a telephonic status conference was held. Respondents MBC XIV, LLC, and Douglas J. Johnson did not appear. The bankruptcy trustee for Montalbano Builders Inc. contacted the hearing officer subsequent the status conference and stated that she had a scheduling conflict and could not appear. It is also noted that on September 23, 2013, the complainant filed a motion to voluntarily dismiss Douglas J. Johnson.

The complainant stated that it continues to investigate potential responsible owners of the site and may add additional parties in the future.

It was agreed that respondent Cortland I-88, LLC, and respondent RB Resolutions answers or other pleadings are now due on or before October 28, 2013.

Finally, counsel for Cortland I- 88 was directed to file her appearance.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on November 14, 2013, at 9:a.m. The telephonic conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the conference the parties must be prepared to discuss the status of the above-captioned matter.