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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS)

Complainant,)

v.)

PCB No. 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.)



ORIGINAL

NOTICE OF FILING

TO: See attached Service List.

PLEASE TAKE NOTICE that on December 2, 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
Brittany A. Smith
Ungaretti & Harris, LLP
70 W. Madison Street
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Chicago, Illinois 60602
312-977-4400
Attorneys for Respondent
CORTLAND-I-88 LLC

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS)
)
 Complainant,)
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 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.)

STATE OF ILLINOIS
Pollution Control Board

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

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 twenty-one (21) days, until December 23, 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. The Hearing Officer has granted two of Cortland's previous motions for

extensions of time. However, the State and Cortland have not yet finalized their settlement agreement.

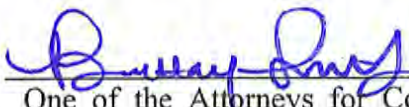
4. Cortland respectfully requests the instant extension based on Cortland's continuing settlement negotiations with the State.

5. The State's counsel has been consulted with respect to Cortland's request and the State has no objection.

6. This Motion is not being brought for any improper purpose. It is brought in good faith, and will not prejudice any party to this proceeding.

WHEREFORE Cortland-I-88, LLC respectfully requests that an Order be entered granting Cortland-I-88, LLC an additional twenty-one (21) days, until December 23, 2013, to answer and/or otherwise respond to the People of the State of Illinois' Second Amended Complaint, and for such other relief as the Hearing Officer deems just and fair.

Respectfully submitted,

By: 
One of the Attorneys for Cortland-I-88, LLC

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Dated: December 2, 2013

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STATE OF ILLINOIS
Pollution Control Board

CERTIFICATE OF SERVICE

I, Brittany A. Smith, the undersigned attorney, certify that on December 2, 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
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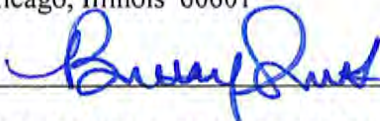
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THIS FILING SUBMITTED ON RECYCLED PAPER