

FIRM I.D. NO. 42297

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

2014 NOV 13 PM 3:53

TOWNSHIP TRUTEES OF SCHOOLS
TOWNSHIP 38 NORTH, RANGE 12 EAST,

Plaintiff,

v.

No. 13 CH 23386

LYONS TOWNSHIP HIGH SCHOOL DIST. 204,

Hon. Sophia H. Hall

Defendants.

NOTICE OF MOTION

To: Gerald E. Kubasiak
Douglas G. Hewitt
Kubasiak Fylstra Thorpe & Rotunno, PC
Two First National Plaza, 29th Floor
20 South Clark Street
Chicago, IL 60603
Fax: 312-630-7939

PLEASE TAKE NOTICE that on November 18, 2014 at 9:30 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable Sophia Hall, or any judge sitting in her stead, in the courtroom usually occupied by him in Room 2301 of the Richard J. Daley Center, and then and there present Defendant's Unopposed Motion for Extension of Time to Answer or Otherwise Plead to Amended Complaint, a copy of which is attached hereto.

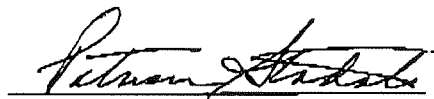
Name: Charles A. LeMoine
Rosa A. Tumialán
Stephen M. Mahieu
Dykema Gossett PLLC

Address: 10 South Wacker Drive
Telephone: (312) 876-1700
Attorney for: Defendant
City: Chicago, Illinois 60606

PROOF OF SERVICE BY FACSIMILE

The undersigned, a non-attorney, on oath state that I mailed a true and correct copy of this Notice of Motion, and Motion upon all counsel of record by fax on November 13, 2014, before 4:00 p.m.

(X) Under penalties as provided by law pursuant to ILL.REV.STAT. CHAP 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct.



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TOWNSHIP TRUSTEES OF SCHOOLS
TOWNSHIP 38 NORTH, RANGE 12 EAST,

Plaintiff,

v.

LYONS TOWNSHIP HIGH SCHOOL DIST. 204,

Defendants.

No. 13 CH 23386

Hon. Sophia H. Hall

2014 NOV 13 10:23:03

**DEFENDANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE PLEAD TO AMENDED COMPLAINT**

Defendant, LYONS TOWNSHIP HIGH SCHOOL DISTRICT 204 ("District 204"), by and through its undersigned attorneys, respectfully moves this Honorable Court pursuant to Illinois Supreme Court Rule 183 for an extension of time up to and including December 1, 2014, to answer or otherwise plead to the "Verified Amended Complaint for Declaratory Relief" (the "Amended Complaint") filed by plaintiff, TOWNSHIP TRUSTEES OF SCHOOLS TOWNSHIP 38 NORTH, RANGE 12 EAST ("Plaintiff"), and in support thereof states as follows:

1. Plaintiff filed its Amended Complaint on October 24, 2014.
2. The Court previously entered an order requiring District 204 to answer or otherwise plead to the Amended Complaint by November 17, 2014.
3. The Amended Complaint includes a variety of new allegations, including allegations that District 204 owes Plaintiff substantially different amounts of money than were alleged in the original complaint.
4. District 204 and its attorneys are diligently investigating the new allegations of the Amended Complaint and making attempts to determine how Plaintiff calculated the differing

amounts of the supposed debts it has alleged in the first two complaints.

5. District 204 and its attorneys are also investigating a potential counterclaim and a third-party complaint, both of which may include multiple counts and the latter of which may include a number of third-party defendants.

6. Despite its best efforts at meeting the Court's deadline, District 204 requires additional time to complete its investigation and to file a meaningful response to the Amended Complaint.


7. Accordingly, District 204 respectfully requests an additional fourteen (14) additional days, up to and including December 1, 2014, in which to answer or otherwise plead to the Amended Complaint.

8. Plaintiff's counsel informed District 204's counsel on November 14, 2014, that Plaintiff has no objection to District 204's requested extension of time. District 204's counsel also recently agreed to an extension of time for Plaintiff to respond to requests to admit facts.

9. This motion is not brought for purposes of delay, and no party will be prejudiced should the Court grant the requested extension of time.

WHEREFORE, defendant, LYONS TOWNSHIP HIGH SCHOOL DISTRICT 204, respectfully requests that this Court enter an order granting District 204: (1) an extension of time up to and including December 1, 2014, in which to answer or otherwise plead to Plaintiff's Verified Amended Complaint for Declaratory Relief; and (2) such further relief as the Court deems just and reasonable.

Dated: November 13, 2014

By: 
One of the Attorneys for Defendant,
LYONS TOWNSHIP HIGH SCHOOL DISTRICT
204

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November 13, 2014

VIA HAND DELIVERY

Honorable Sophia H. Hall
Room 2301
Richard J. Daley Center
50 W. Washington Street
Chicago, Illinois

**Re: *Township Trustees of Schools Township 38 North, Range 12 East*
v. Lyons Township High School District 204
Case No.: 13 CH 23386**

Dear Judge Hall:

Enclosed please find courtesy copies of defendant's Notice and Unopposed Motion for Extension of Time to Answer or Otherwise Plead to Amended Complaint. This motion is scheduled for hearing on November 18, 2014 at 9:30 a.m.

Sincerely,

DYKEMA GOSSETT PLLC

Stephen M. Mahieu

SMMA/pas

Enclosures

cc: All Counsel of Record

HP LaserJet 400 MFP M425dn

Fax Confirmation

Nov-13-2014 5:18PM

Job	Date	Time	Type	Identification	Duration	Pages	Result
508	11/13/2014	5:16:23PM	Receive		1:57	6	OK

NOV. 13. 2014 4:12PM

NO. 4754 P. 1

DYKEMA

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DATE:	November 13, 2014	TOTAL PAGES INCLUDING COVER:	6
SENDER'S NAME:	Stephen M. Mahieu	LOCATION:	Chicago
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SENDER'S PHONE:	(312) 627-2170	SENDER'S FAX:	(866) 570-5617

NAME	FAX NUMBER	CONFIRM NUMBER
TO: Gerald E. Kubasiak Kubasiak, Fylstra Thorpe & Rotunno, P.C.	312-650-7939	

ADDITIONAL INFORMATION:

TTO v. Lyons Township High School Dist. 204

Case No. 13 CH 23386

Attached is Notice of Motion and Unopposed Motion for Extension of Time to Answer or Otherwise Plead to Amended complaint.

If you have problems receiving this message,
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CLIENT NO. 090345
MATTER NO. 0008

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