

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

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In the Matter of:)
)
Cameel Halim; Wilmette Real Estate &)
Management Company, LLC; WR Property)
Management, LLC; BCHFARGO, LLC;)
BCHROSCOE, LLC; BCH5036, LLC; BCH5625,)
LLC; BCH5633, LLC; BCH5746, LLC;)
BCH5900, LLC; HCT6026, LLC; BCHTOWER,)
LLC; BCHCHURCH, LLC; BCHHOYNE, LLC;)
BCHKENMORE 6230, LLC; BCH6300, LLC;)
BCHSIMPSON, LLC; HCT727, LLC;)
BCHSEELEY, LLC; HCTJACKSON, LLC;)
BCH801, LLC; BCH817, LLC; BCH5830, LLC;)
and BCHEASTWOOD, LLC;)
)
Respondents.)
)
_____)

Docket No.: TSCA-05-2011-0020

MOTION FOR EXTENSION OF TIME TO FILE REPLY
IN OPPOSITION TO COMPLAINANT'S RESPONSE TO
RESPONDENT CAMEEL HALIM'S MOTION TO DISMISS
FOR WANT OF SUBJECT-MATTER JURISDICTION

Pursuant to 40 C.F.R. §§ 22.7(b) and 22.16(b), Respondent Cameel Halim through his undersigned counsel, hereby requests a seven-day extension of time in which to file his reply to Complainant's Response to Respondent Cameel Halim's Motion to Dismiss for Want of Subject-Matter Jurisdiction. In support of his Motion, Respondent Cameel Halim ("Halim") states as follows:

1. On February 7, 2012, the United States Environmental Protection Agency ("EPA") filed its Response to Respondent Cameel Halim's Motion to Dismiss for Want of Subject-Matter Jurisdiction ("Response").

2. The undersigned attorney received EPA's Response on February 8, 2012.
3. Under applicable regulations, Halim's reply to the Response, if any, must be filed no later than February 18, 2012. *See* 40 C.F.R. §§ 22.7(a) and 22.16(b).
4. The undersigned attorney, Alan M. Didesch, has sole responsibility for the representation of Respondent Halim in this Court.
5. The undersigned attorney will not have the opportunity to sufficiently comply with the time constraints imposed by 40 C.F.R. §§ 22.7(a) and 22.16(b) consistent with the high standards the Court is entitled to expect from the attorneys who appear before it.
6. The following unavoidable conflicts prevented the undersigned attorney from sufficiently complying with the time constraints imposed by 40 C.F.R. §§ 22.7(a) and 22.16(b):
 - a. The case, docket number 2007 L 000473, and captioned *Bonneville, as Special Administrator for the Estate of Melissa Dorner v. Wilmette Real Estate & Management Company, LLC, Cameel Halim, BCHTOWER, LLC et al.*, has been assigned a "firm" trial date of March 19, 2012. The case, sounding in wrongful death, involves potentially millions of dollar. Because of the magnitude of the potential liability involved in the case, the undersigned attorney and Respondent Halim, along with outside counsel, have necessarily

devoted a substantial amount of time to the case over the course of the past weeks.

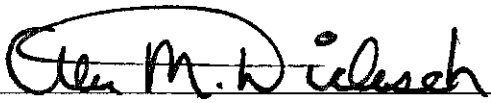
- b. Additionally, the undersigned attorney and Respondent have spent considerable time responding to discovery propounded in a parallel action to this one pending before the United States Department of Housing and Urban Development.

7. Respondent Halim acknowledges that the Court has the right to control its own docket to require that cases proceed in an orderly and timely fashion. However, given the undersigned attorney's other commitments, Respondent Halim respectfully submits that a seven-day extension of time within which to file his reply to the Response is neither unreasonable nor excessive. Furthermore, the Motion for Extension of Time is for legitimate reasons and is not filed to unreasonably multiply these proceedings, or for any dilatory, vexatious or other improper purpose. Further, Respondent Halim does not believe that the requested extension will prejudice EPA's prosecution of this case.
8. It is respectfully submitted that the foregoing facts constitutes "good cause" within the meaning of 40 C.F.R. § 26.22.7(b) for the extension of time requested in this Motion.

WHEREFORE, Respondent Cameel Halim respectfully requests as follows:

- A. That he be allowed seven (07) additional days, to February 25, 2012, within which to file his reply to Complainant's Response to Cameel Halim's Motion to Dismiss for Want of Subject-Matter Jurisdiction; or
- B. In the alternative, Respondent Halim respectfully requests that the Court grant such other and further relief as it deems appropriate.

Respectfully submitted,

By:  _____

Alan M. Didesch, Respondent's Attorney.

Alan M. Didesch, General Counsel
WR Property Management, LLC
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Wilmette, Illinois 60091-3303
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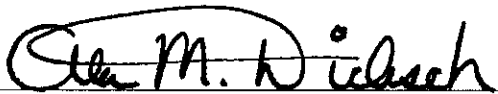
CERTIFICATE OF SERVICE

Presiding Officer (C-14J)
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Regional Hearing Clerk (E-19J)
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Mary McAuliffe, Esq. (C-14J)
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

This is to certify that copies of Respondent Cameel Halim's Motion for Extension of Time were sent to the above-named individuals, at the above-listed addresses, by FedEx Overnight commercial delivery service, prior to the hour of 6:00 p.m. on Thursday, February 16, 2012.

By: 

Alan M. Didesch

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