

ILLINOIS INDEPENDENT TAX TRIBUNAL

TYSON FOODS INC. & SUBSIDIARIES,)	
Petitioner,)	
)	
v.)	15 TT 139
)	Chief Judge James M. Conway
ILLINOIS DEPARTMENT OF REVENUE,)	
Respondent.)	

MOTION TO STAY

NOW COMES the Illinois Department of Revenue (“Department”), Respondent herein, by and through its attorney, Lisa Madigan, Attorney General of and for the State of Illinois, and hereby moves this Court to enter an Order staying Department’s obligation to file an Answer in the above captioned matter. In support of its Motion the Department states as follows:

1. Petitioner filed its Petition on July 10, 2015.
2. By Order dated July 13, 2015, this Tribunal ordered the Department to file its answer on or before August 25, 2015.
3. Department’s counsel has reviewed the Petition and the audit file.
4. Based on that review, Department’s counsel believes that if the Petitioner can provide sufficient documentation to Department to show the truth of the facts alleged in the Petition this case can be resolved without further litigation.
5. On August 13, 2015, Department’s counsel suggested to Petitioner’s counsel that the parties attempt to resolve this matter informally prior to further pleading.
6. Petitioner agreed to try to resolve this case informally prior to any additional pleading.

7. Petitioner has no objection to granting the Department a Stay of its obligation to file an Answer in this matter.

WHEREFORE, Department moves this Tribunal to Order a stay of these proceedings, including Department's obligation to file an Answer, for three months time to allow the parties to attempt to informally resolve this matter.

Respectfully Submitted,

LISA MADIGAN
Attorney General
State of Illinois

By: _____

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DATED: August 19, 2015

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NOTICE OF MOTION

To: Scott J. Heyman
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PLEASE TAKE NOTICE that on **August 19, 2015**, the Department filed the attached **Motion to Stay** in the above captioned case with the Illinois Independent Tax Tribunal, 160 N. LaSalle, Room N506, Chicago, Illinois.

/s/ Jennifer Kieffer
Jennifer Kieffer
Special Assistant Attorney General
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Proof of Service

I, Jennifer Kieffer, an attorney for the Department of Revenue, state that I have this 19th day of August, 2015, served the foregoing Notice of Motion and attached Motion upon the person(s) to whom said Motion is directed, by email to sheyman@sidley.com and cschafer@sidley.com.

/s/ Jennifer Kieffer
Jennifer Kieffer