

**ILLINOIS INDEPENDENT TAX TRIBUNAL  
CHICAGO, ILLINOIS**

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<b>CREDIT CARD RECEIVABLE</b>	)	
<b>FUND, INC.,</b>	)	
Petitioner,	)	
	)	
v.	)	
	)	15-TT-141
<b>DEPARTMENT OF REVENUE</b>	)	Chief Judge James M. Conway
<b>OF THE STATE OF ILLINOIS</b>	)	
	)	
Respondent.	)	
	)	

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**NOTICE OF FILING MOTION**

TO: David C. Blum	John B. Buckun
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PLEASE TAKE NOTICE that on March 1, 2016, Respondent, Illinois Department of Revenue through its attorney, Lisa Madigan, Attorney General of and for the State of Illinois, by Susan Budzileni, Special Assistant Attorney General, filed its Motion to Extend Written Discovery with the Illinois Independent Tax Tribunal by email to [ITT.TaxTribunal@illinois.gov](mailto:ITT.TaxTribunal@illinois.gov), a copy of which is attached hereto.

1. This Motion is not agreed upon by Taxpayer.
2. The Department does not seek oral argument on the Motion.

LISA MADIGAN,  
Attorney General, State of Illinois



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Susan Budzileni  
Special Assistant Attorney General

PROOF OF SERVICE

The undersigned attorney for Respondent certifies that, on March 1, 2016, she served the Respondent's Motion to Extend Written Discovery on the individuals identified above, by electronic mail, at the electronic mail addresses identified above.



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Susan Budzileni  
Special Assistant Attorney General

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**DEPARTMENT’S MOTION TO EXTEND WRITTEN DISCOVERY**

Now comes the State of Illinois, Department of Revenue (“Department”), by its duly authorized representative, Special Assistant Attorney General, Susan Budzileni, and pursuant to 86 Ill. Adm. Code § 5000.315, hereby moves this Honorable Tribunal to enter an order extending the written discovery deadline in this matter currently pending before this Tribunal. In support of its motion, the Department states as follows:

1. On September 10, 2015, the parties agreed to informally discuss the facts and their respective positions in this matter.
2. On September 10, 2015, Department’s counsel sent the audit file to Taxpayer’s counsel and inquired about a phone conference for the following week.
3. Thereafter, on October 7, 2015, a phone conference was scheduled for October 13, 2015. Taxpayer’s counsel canceled said phone conference shortly before the scheduled conference.

4. On October 20, 2015, before the status conference with the Tribunal, the parties briefly spoke. At the October 20, 2015, Tribunal status conference, the parties advised Judge Conway of the parties' brief discussion and the parties were given additional time to informally discuss the pending matter.

5. On October 23 and 26, 2015, Taxpayer's counsel inquired about a phone conference. On October 26 and 29, 2015, Department's counsel advised Taxpayer's counsel she was still seeking approval for the Department's auditor to participate in a phone conference. On November 3, 2015, Department's counsel advised Taxpayer's counsel that the Department's auditor would not be available for a phone conference.

6. On November 5, 2015, the parties schedule a phone conference for November 9, 2015. On November 9, 2015, the parties discussed matter and Taxpayer's counsel stated Taxpayer wanted to submit additional documentation to the Department for review. Department's counsel agreed to accept Taxpayer's documentation.

7. On January 12, 2016, the parties had a second phone conference and Taxpayer's counsel advised Department's counsel that a confidentiality agreement was required before Taxpayer would tender any documents to the Department.

8. On February 9, 2016, an agreed protective order was negotiated and submitted to the Tribunal. Additionally, on February 9, 2016, Department's counsel requested an extension for written discovery. The Tribunal extended the written discovery deadline to March 4, 2016.

9. On February 11 and 19, 2016, Department's inquired about the documents Taxpayer wanted to submit to the Department.

10. On February 25, 2016, Taxpayer's counsel advised Department's counsel that Taxpayer's general counsel wanted to set-up a phone conference to speak with Department's

counsel directly. In response, Department's counsel stated she would be agreeable to a phone conference after Taxpayer submitted the long overdue documents it wanted the Department to review. Department's counsel also advised Taxpayer's counsel that written discovery was due on March 4, 2016, and that she was going to file a motion to extend the discovery deadline and stated she hoped Taxpayer's counsel would be in agreement. To date, Taxpayer's counsel has not submitted any documents to Department's counsel that it wanted the Department to review and Taxpayer's counsel did not comment on the written discovery extension.

11. Taxpayer claims that it has additional documentation that will change the Department's position, but, for some unknown reason, Taxpayer will not tender the documentation to Department's counsel.

12. Department's counsel relied on Taxpayer's counsel's representation that the documents would be forthcoming and that said documents may add a different perspective to this matter.

13. Department's counsel has diligently requested Taxpayer's counsel to submit the documents Taxpayer wants the Department to review.

14. There will be no prejudice to either party if this motion is granted.

15. This motion is not meant for the purpose of delay or harassment.

WHEREFORE, the Department respectfully requests that this Honorable Tribunal to extend written discovery in the pending matter.

Respectfully submitted,

**LISA MADIGAN**  
**ATTORNEY GENERAL, STATE OF ILLINOIS**  
By:

*Susan Budzileni*

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Susan Budzileni  
Special Assistant Attorney General

Date: March 1, 2016  
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