

ILLINOIS INDEPENDENT TAX TRIBUNAL

MORGAN STANLEY AND)	
CONSOLIDATED SUBS,)	
)	
Petitioner,)	
)	Case No. 16-TT-44
v.)	
)	Brian F. Barov
ILLINOIS DEPARTMENT OF REVENUE,)	Administrative Law Judge
)	
Respondent.)	

**DEPARTMENT’S MOTION FOR FIRST EXTENSION OF TIME TO FILE ITS
RESPONSIVE PLEADING**

The Illinois Department of Revenue (“Department” or “Respondent”), with the consent of the Petitioner, moves that the Illinois Independent Tax Tribunal extend the time for filing the Department’s responsive pleading by 30 days. Pursuant to an order entered by this Tribunal on March 4, 2016, the Answer must be filed on or before April 8, 2016. The Department requests this date be extended until May 6, 2016. In support of this motion, the affidavit of Jonathan M. Pope is attached.

Date: April 4, 2016

_____/s/ Jonathan M. Pope

Jonathan M. Pope
Special Assistant Attorney General

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Special Assistant Attorney General
Illinois Department of Revenue
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STATE OF ILLINOIS

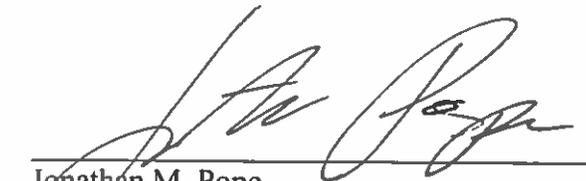
COUNTY OF COOK

AFFIDAVIT OF JONATHAN M. POPE

Jonathan M. Pope certifies that:

1. I have first-hand knowledge of the facts stated in this Affidavit and could testify to them if called as a witness.
2. I am an attorney with the Illinois Department of Revenue (“Department”).
3. I am responsible for representing the Department in *Morgan Stanley and Consolidated Subs v. Illinois Department of Revenue*, 16-TT-44.
4. The Department’s Answer is due April 8, 2016.
5. Due to circumstances related to this matter not within my personal control, I will be unable to complete the Answer by the current due date and therefore submit the Department’s Motion for First Extension of Time to File its Responsive Pleading (the “Motion”).
6. I contacted David A. Hughes, attorney for Petitioner regarding the Motion; Mr. Hughes advised he has no objection to the Tribunal granting the foregoing Motion.
7. For the reasons stated above, I respectfully ask the Tribunal to grant the Motion, thereby granting the Department an extension with regard to filing the Department’s Answer.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, 735 ILCS §5/1-109, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.


Jonathan M. Pope
Special Assistant Attorney General
Illinois Department of Revenue

Date: 4/4/16

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NOTICE OF FILING

TO: Mr. David A. Hughes
Horwood Marcus & Berk Chartered
500 W. Madison Street, Suite 3700
Chicago, IL 60661
(312) 606-3200
dhughes@hmbllaw.com

PLEASE TAKE NOTICE that on April 4, 2016, Respondent filed by e-mail with the Illinois Independent Tax Tribunal, located at 160 N. LaSalle Street Room N506, Chicago, Illinois 60601, **DEPARTMENT’S MOTION FOR FIRST EXTENSION OF TIME TO FILE ITS RESPONSIVE PLEADING** in the above captioned matter.

/s/ Jonathan M. Pope
Jonathan M. Pope
Special Assistant Attorney General

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100 West Randolph Street, 7-900
Chicago, IL 60601
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Dated: April 4, 2016

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CERTIFICATE OF SERVICE

Jonathan M. Pope certifies that he is a Special Assistant Attorney General of the State of Illinois duly appointed by Lisa Madigan, Attorney General of the State of Illinois; that he is authorized to make this certificate; that on April 4, 2016, before the hour of 5:00 p.m. (C.S.T.) he served a true and exact copy of the foregoing instrument entitled **DEPARTMENT’S MOTION FOR FIRST EXTENSION OF TIME TO FILE ITS RESPONSIVE PLEADING** on Petitioner by sending the same as an attachment to an e-mail message addressed to Petitioner at its designated e-mail address:

Mr. David A. Hughes: dhughes@hmbllaw.com

 /s/ Jonathan M. Pope
Jonathan M. Pope
Special Assistant Attorney General

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Illinois Department of Revenue
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Dated: April 4, 2016