

ILLINOIS INDEPENDENT TAX TRIBUNAL

PEPSICO INC. AND AFFILIATES,)	
)	
Petitioner,)	
)	Case No. 16-TT-82
v.)	
)	Chief Judge James M. Conway
ILLINOIS DEPARTMENT OF REVENUE,)	
)	
Respondent.)	

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

The Illinois Department of Revenue (“Department” or “Respondent”), moves that the Illinois Independent Tax Tribunal extend the time for filing the Department’s responsive pleading by 30 days from the current due date. Pursuant to an order entered by this Tribunal on April 29, 2016, the Answer is due on or before June 6, 2016. The Department requests this date be extended until July 6, 2016. Petitioner has indicated it will not object to the Department’s request. In support of this motion, the affidavit of Jonathan M. Pope is attached.

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

Jonathan M. Pope
Illinois Department of Revenue
100 West Randolph Street, 7-900
Chicago, IL 60601
(312) 814-3185
jonathan.pope@illinois.gov

Dated: May 31, 2016

ILLINOIS INDEPENDENT TAX TRIBUNAL

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STATE OF ILLINOIS

COUNTY OF COOK

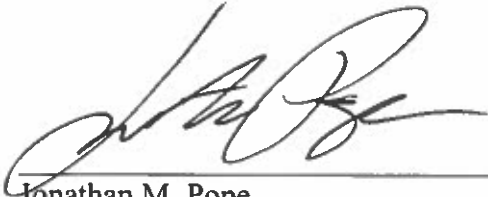
AFFIDAVIT OF JONATHAN M. POPE

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” or “Respondent”).
3. I am one of the attorneys responsible for representing the Department in *PepsiCo Inc. and Affiliates v. Illinois Department of Revenue*, 16-TT-82.
4. The Department’s Answer is due June 6, 2016.
5. Due to the breadth of the Petition and related audit file, the Department will be unable to complete the Answer by the current due date and therefore submits the Respondent’s Motion for First Extension of Time to File its Responsive Pleading (the “Motion”).
6. I contacted Julie S. Townsley, attorney for Petitioner regarding the Motion; Ms. Townsley advised that Petitioner will not object to the Department’s request.

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: 5/31/16

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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 May 31, 2016, before the hour of 5:00 p.m. (C.S.T.) he served a true and exact copy of the foregoing instrument entitled **RESPONDENT'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 one of its designated e-mail addresses:

Ms. Julie S. Townsley: julie.townsley@bakermckenzie.com

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

Jonathan M. Pope
Illinois Department of Revenue
100 West Randolph Street, 7-900
Chicago, IL 60601
(312) 814-3185
jonathan.pope@illinois.gov

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NOTICE OF FILING

TO: Mr. Theodore R. Bots
Mr. Matthew S. Mock
Ms. Julie S. Townsley
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PLEASE TAKE NOTICE that on May 31, 2016, Respondent filed by e-mail with the Illinois Independent Tax Tribunal, located at 160 N. LaSalle Street Room N506, Chicago, Illinois 60601, **RESPONDENT’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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