

**IN THE ILLINOIS INDEPENDENT TAX TRIBUNAL**

CSX TRANSPORTATION, INC.	)	
Petitioner,	)	
	)	
v.	)	No. 19 TT 130
	)	
THE ILLINOIS DEPARTMENT OF REVENUE,	)	
	)	
Defendant.	)	

**NOTICE OF ELECTRONIC FILING**

To:


Lori L. Jordan  
Special Assistant Attorney General  
Illinois Department of Revenue  
(312) 814-3842 office  
[Lori.jordan@illinois.gov](mailto:Lori.jordan@illinois.gov)

Sean P. Cullinan  
Special Assistant Attorney General  
Illinois Department of Revenue  
(312) 814-3078-ph.  
[Sean.Cullinan@Illinois.gov](mailto:Sean.Cullinan@Illinois.gov)

PLEASE TAKE NOTICE that on the 11th day of June 2020, we electronically filed with the Illinois Independent Tax Tribunal and Chief Administrative Law Judge, James M. Conway, [James.Conway@illinois.gov](mailto:James.Conway@illinois.gov), 160 N. LaSalle Street, Room N506, Chicago, IL 60601, **Petitioner's Unopposed Motion to Extend Discovery Deadline**, a copy of which accompanies this notice and is served on you herewith.

Respectfully submitted,

**CSX Transportation, Inc.**  
Petitioner



By: \_\_\_\_\_  
One of Petitioner's Attorneys

Breen M. Schiller ([bschiller@hmbllaw.com](mailto:bschiller@hmbllaw.com))  
David W. Machemer ([dmachemer@hmbllaw.com](mailto:dmachemer@hmbllaw.com))  
Horwood Marcus & Berk Chartered  
500 W. Madison Street, Suite 3700  
Chicago, IL 60661  
(312) 606-3200

**IN THE ILLINOIS INDEPENDENT TAX TRIBUNAL**

CSX TRANSPORTATION, INC.	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 19 TT 130
	)	
THE ILLINOIS DEPARTMENT OF REVENUE,	)	
	)	
Defendant.	)	

**PETITIONER’S UNOPPOSED MOTION TO EXTEND DISCOVERY DEADLINE**

CSX Transportation, Inc. (“Petitioner”), by and through its attorneys, Horwood Marcus & Berk Chartered, pursuant to 86 Ill. Adm. Code Sec. 200.185, hereby moves this Tribunal for a 60-day extension of the discovery cut-off date and in support thereof states as follows:

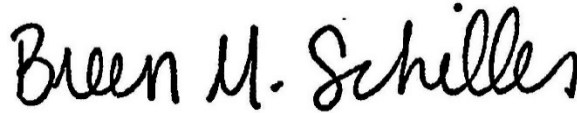
1. By Order dated May 19, 2020, this Tribunal set a discovery cut-off date for June 18, 2020.
2. As of the date of this Motion, neither party has issued formal written discovery requests.
3. On May 21, 2020, Counsel for the Illinois Department of Revenue (“Department”) issued an informal discovery request (“Informal Request”) to Petitioner’s Counsel via email correspondence;
4. Petitioner is diligently working on drafting a response to the Department’s Informal Request;
5. An employee of Petitioner who was responsible for this audit and is instrumental in responding to the Informal Request is out of the office until Monday, June 15th;
6. Petitioner intends to file a Motion for Leave to File an Amended Petition and needs sufficient time in order to do so;
7. Petitioner respectfully requests a 60-day extension of the discovery cut-off date in order to (i) allow Petitioner additional time to respond to the Department’s Informal Discovery Request; (ii) allow both parties to issue formal discovery, if needed; and (iii) allow the Petitioner adequate time to file its Amended Petition;
8. Counsel for the Department does not object to the extension;
9. This is the Petitioner’s first request for an extension of the discovery cut-off date;

10. Petitioner's Motion is not made for purposes of delay, but rather to enable both parties adequate time to conduct discovery as well as provide Petitioner time to file its Motion for Leave to file its Amended Petition;
11. Neither party will be prejudiced by the granting of this Motion.

WHEREFORE, Petitioner respectfully requests that this Tribunal grant its Motion and extend the discovery-cut-off date for a period of 60 days to August 17, 2020.

Respectfully submitted,

**CSX Transportation, Inc.**  
Petitioner

A handwritten signature in black ink that reads "Breen M. Schiller". The signature is written in a cursive, flowing style.

By: \_\_\_\_\_  
One of Petitioner's Attorneys

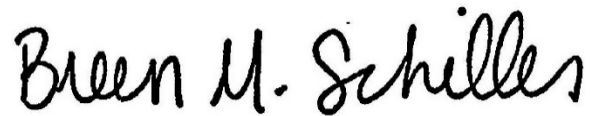
Breen M. Schiller (bschiller@hmblaw.com)  
David W. Machemer (dmachemer@hmblaw.com)  
Horwood Marcus & Berk Chartered  
500 W. Madison Street, Suite 3700  
Chicago, IL 60661  
(312) 606-3200

**CERTIFICATE OF SERVICE**

Undersigned counsel of record hereby certifies that she caused a copy of the foregoing **Petitioner's Unopposed Motion to Extend Discovery Deadline** to be served by electronic mail before the hour of 5:00 p.m. on the 11th day of June, 2020.

Lori L. Jordan  
Special Assistant Attorney General  
Illinois Department of Revenue  
100 W. Randolph, 7-900  
Chicago, Illinois 60601  
(312) 814-3842 office  
[Lori.jordan@illinois.gov](mailto:Lori.jordan@illinois.gov)

Sean P. Cullinan  
Special Assistant Attorney General  
Illinois Department of Revenue  
100 W. Randolph St., 7-900  
Chicago, IL 60601  
(312) 814-3078-ph.  
[Sean.Cullinan@Illinois.gov](mailto:Sean.Cullinan@Illinois.gov)

---