

Edward B. Motley- Sheriff of Edgar County,
Illinois

Petitioner/Plaintiff,

v.

Steven Bierig- Arbitrator and the Illinois
Fraternal Order of Police Labor Council,

Respondent/Defendants.

No. 12 MR 24

FILED

NOV 19 2012

Karen D. Nalloran
Circuit Clerk, 5th Judicial Circuit Edgar County

**RESPONDENT'S MOTION TO STRIKE PETITIONER'S RESPONSE TO
MOTION TO DISMISS**

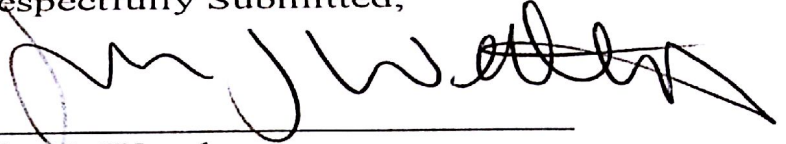
Comes now the Respondent, Illinois Fraternal Order of Police Labor Council, by and through its attorney, John J. Weathers, Illinois Fraternal Order of Police Labor Council and in support of its motion, states the following:

1. Respondent filed its motion to dismiss on September 4, 2012 in response to Petitioner's petition for write of prohibition. Now, a full ten weeks later, Petitioner has filed his Response to Motion to Dismiss. Under Illinois Supreme Court Rule 182, the Petitioner has failed to timely file his Response to Respondent's Motion to Dismiss.

2. Petitioner will not be able to make any showing for the extended delay in his response to the Respondent's Motion to Dismiss.

Wherefore, Respondent requests that this Honorable Court strike Petitioner's Response and admit facts alleged in the Motion to Dismiss or in the alternative set the instant motion for hearing at the Court's earliest convenience.

Respectfully Submitted,



John J. Weathers

Illinois Fraternal Order of Police Labor Council

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