ILLINOIS POLLUTION CONTROL BOARD
April 12, 1973

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| PACKAGING CORPORATION OF AMERICA, a corporation | ) | |
| | ) | #71-352 |
| v. | ) | |
| ENVIRONMENTAL PROTECTION AGENCY | ) | |
| ENVIRONMENTAL PROTECTION AGENCY | ) | |
| | ) | #72-10 |
| v. | ) | |
| PACKAGING CORPORATION OF AMERICA | ) | |

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

Motion to strike and dismiss the amended complaint has been filed by Respondent because of alleged infirmities in the pleading. Respondent contends that all allegations of the complaint are legal conclusions which fail to comply with Board Rule 304.

We find the pleadings consistent with our procedural rules. Any amplification or detail required by Respondent to prepare its defense is available through the use of pre-trial discovery methods.

IT IS THE ORDER of the Pollution Control Board that the Motion to Strike and Dismiss be denied.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 12th day of April, 1973, by a vote of ____ to ____.