

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,

Complainant,

v.

THOMAS GRAY, an individual, STEVE  
WHYTE, an individual, GLADYS WHYTE, an  
individual, LEONA CHILDRESS, an individual,  
and WILLIAM McCOY, an individual

Respondents.

PCB No. 04-106  
(Enforcement-Cost Recovery)

**NOTICE OF FILING**

TO: Attached Service List

PLEASE TAKE NOTICE that on December 6, 2005 we filed with the Clerk of the Illinois Pollution Control Board, Complainant's Motion to Voluntarily Dismiss Respondents Steve Whyte and Gladys Whyte and Certificate of Service, a copy of which is attached and served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
LISA Madigan, Attorney General State  
of Illinois

By: Gerald T. Karr  
Gerald T. Karr  
Senior Assistant Attorney General  
Environmental Bureau  
188 West Randolph Street, 20<sup>th</sup> Floor  
Chicago, Illinois 60601  
(312) 814-3369

DATED: December 6 , 2005

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 04-106
	)	(Enforcement-Cost Recovery)
THOMAS GRAY, an individual, STEVE	)	
WHYTE, an individual, GLADYS WHYTE, an	)	
individual,	)	
	)	
Respondents.	)	

**COMPLAINANT'S MOTION TO VOLUNTARILY DISMISS RESPONDENTS**  
**STEVE WHYTE AND GLADYS WHYTE**

NOW COMES, Complainant, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General for the State of Illinois, and pursuant to Section 101.500 of the Illinois Pollution Control Board Procedural Regulations, 35 Ill. Adm. Code Section 101.500, moves the Illinois Pollution Control Board for entry of an Order voluntarily dismissing Respondents Steve Whyte and Gladys Whyte. In support of its motion Complainant states as follows:

Complainant has recently learned that the Whytes are both deceased. Gladys Whyte passed away on January 3, 1999 and Steve Whyte passed away on November 11, 2003. (Copies of Social Security Death Records are attached, downloaded from Westlaw).

WHEREFORE, for the foregoing reasons, Complainant respectfully requests the Board:  
Enter an order voluntarily dismissing Complainant's Complaint, as to Respondents Steve Whyte and  
Gladys Whyte.

PEOPLE OF THE STATE OF ILLINOIS,

LISA MADIGAN, Attorney General  
State of Illinois

By: 

Gerald T. Karr  
Assistant Attorney General  
Environmental Bureau  
188 West Randolph Street, 20<sup>th</sup> Floor  
Chicago, Illinois 60601  
(312) 814-3369

The logo for Westlaw, featuring the word "Westlaw" in a stylized font with a circular graphic element.**DEATH RECORD**

Information Current Through: 00/00/0000  
Database Last Updated: 05/19/2004  
Updated Frequency: Weekly  
Current Date: 12/06/2005  
Source: Social Security Administration Death Index  
Name: STEVE WHYTE  
SSN: 320-10-XXXX  
State Where SSN Issued: ILLINOIS  
Date of Birth: 06/16/1908  
Date of Death: 11/10/2003  
Age at Death: 95  
Verification of Death: 'V' Report verified with a family member or someone acting on behalf of the family  
Last Residence: CHICAGO, IL 60680  
Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387)  
to order copies of documents related to this or other matters.  
Additional charges apply.

END OF DOCUMENT

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**Westlaw.****DEATH RECORD**

Information Current Through: 00/00/0000  
Database Last Updated: 05/19/2004  
Updated Frequency: Weekly  
Current Date: 12/06/2005  
Source: Social Security Administration Death Index  
Name: **GLADYS WHYTE**  
SSN: 428-24-XXXX  
State Where SSN Issued: MISSISSIPPI  
Date of Birth: 11/06/1921  
Date of Death: 01/03/1999  
Age at Death: 77  
Verification of Death: 'V' Report verified with a family member or someone acting on behalf of the family  
Last Residence: HARVEY, IL 60426  
Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387)  
to order copies of documents related to this or other matters.  
Additional charges apply.

END OF DOCUMENT

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**SERVICE LIST**

Thomas Gray  
13163 East 2500 South Road  
Mokena, Illinois 60954

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

**CERTIFICATE OF SERVICE**

I, GERALD T. KARR, an Assistant Attorney General in this case, do certify that on December 6, 2005, I caused to be served by First Class Mail the foregoing Notice of Filing and Complainant's Motion to Voluntarily Dismiss Respondents Steve Whyte and Gladys Whyte upon the individuals listed on the attached service list, by depositing the same in the U.S. Mail depository located at 100 West Randolph Street, Chicago, Illinois in an envelope with sufficient postage prepaid.

A handwritten signature in cursive script, reading "Gerald T. Karr", written over a horizontal line.

GERALD T. KARR