

ILLINOIS POLLUTION CONTROL BOARD
October 19, 1995

DENNIS MANARCHY, MARY BETH)	
MANARCHY, CHRIS MANDOLINE,)	
and BEVERLY KAGY-MANDOLINE,)	
)	
Complainants,)	
)	
v.)	PCB 95-73
)	(Enforcement - Noise)
THE GOTHAM NIGHTCLUB and)	
JJJ & ASSOCIATES, INC.,)	
)	
Respondents.)	

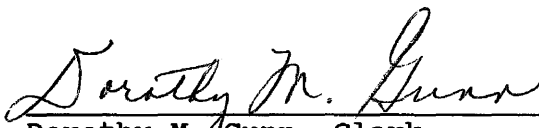
ORDER OF THE BOARD (by C.A. Manning):

This matter is before the Board pursuant to a motion filed on October 10, 1995 by the respondent, JJJ & Associates, Inc. (Gotham) seeking to clarify whether any motions remain pending after the Board returned this case to the hearing process on September 21, 1995. By our order of September 21, 1995, we determined, as we did on March 16, 1995, that this case is neither frivolous or duplicitous, and thus, that the allegations of the complaint were sufficient to proceed to hearing. Therefore, all motions filed by Gotham on April 21, 1995, (motion for finding of duplicitous complaint; motion to vacate order of the Board; and motion to dismiss) are and have been denied.

Additionally, Gotham is asking the Board to rule on the complainants' April 25, 1995 motion for leave to file an amended complaint. Pursuant to our procedural rule, 35 Ill. Adm. Code 103.210, the hearing officer will address this motion.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 19th day of October, 1995, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board