

ILLINOIS POLLUTION CONTROL BOARD  
January 23, 2003

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
 Complainant, )  
 )  
 v. ) PCB 02-77  
 ) (Enforcement – Land)  
 MILLENIUM RECYCLING & SOLID )  
 WASTE CONSULTANTS, INC., an )  
 Illinois corporation, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by M.E. Tristano):

This matter comes before the Board on respondent's attorneys motion to withdraw. On December 2, 2002, Wolfe & Polovin (law firm), filed a motion for leave to withdraw as counsel for respondent Millenium Recycling & Solid Waste Consultants. Complainant filed an objection December 6, 2002, and counsel filed a response December 10, 2002. The Board grants the motion to withdraw, with conditions explained below.

In its motion, Wolfe & Polovin state the firm was retained by respondent on January 29, 2002, to serve as counsel. Since then there have been professional differences between Millenium and Wolfe & Polovin which have resulted in the inability of Wolfe & Polovin to adequately represent Millenium in this case. Wolfe & Polovin state that Millenium refuses to cooperate with counsel relating to matters before the Board.

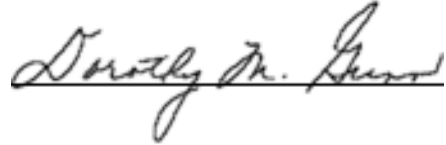
Complainant objects to the withdrawal, which it believes will unduly delay the progress of this case. Complainant suggests that the motion should be denied. Alternatively, complainant suggests that if the motion is granted, respondent should be ordered to retain new counsel within 30 days, and to file its answer to the complaint 30 days after that.

In response, counsel suggests that its withdrawal will not delay the case. Respondent, it argues, can still execute a stipulation which the parties have been discussing.

The Board grants counsel leave to withdraw. But, to avoid undue delay, the Board orders respondent to retain an attorney who must file an appearance on or before February 24, 2003, unless the parties file an executed stipulation. Respondent must file its answer to the complaint on or before March 24, 2003, if the parties have not previously filed an executed stipulation.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 23, 2003, by a vote of 6-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board