

ILLINOIS POLLUTION CONTROL BOARD
March 20, 1997

OLIVE STREIT and LISA STREIT,)	
)	
Complainants,)	
)	
v.)	PCB 95-122
)	(Enforcement - UST)
OBERWEIS DAIRY, INC., RICHARD J.)	
FETZER and JOHNNIE W. WARD d/b/a)	
SERVE-N-SAVE, and RICHARD J.)	
FETZER, individually,)	
)	
Respondents.)	

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

This matter comes before the Board on a motion for voluntary dismissal of certain parties filed by complainants on February 26, 1997. Complainants state that during the course of discovery in this matter, they "have failed to ascertain any reasonable support to suggest" that either Amoco Oil Company (Amoco) or Mobil Oil Corporation (Mobil) are responsible for any of the allegations stated in the April 4, 1995 complaint. Therefore, complainants request that the Board dismiss both Amoco and Mobil from this action. The Board received no response from either Oberweis Dairy, Inc., Richard J. Fetzer and Johnnie W. Ward d/b/a Serve-N-Save, or Richard J. Fetzer, individually.

The Board grants complainants' motion dismissing Amoco and Mobil from this matter. The above caption has been amended to reflect the dismissal of Amoco and Mobil. All future pleadings should be so captioned. This matter shall proceed against the remaining named respondents.

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 ____ day of _____, 1997, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board