

HINSHAW & CULBERTSON
ATTORNEYS AT LAW

BELLEVILLE, ILLINOIS
CHAMPAIGN, ILLINOIS
CHICAGO, ILLINOIS
CRYSTAL LAKE, ILLINOIS
JOLIET, ILLINOIS
LISLE, ILLINOIS
PEORIA, ILLINOIS
ROCKFORD, ILLINOIS
SPRINGFIELD, ILLINOIS
WAUKEGAN, ILLINOIS
PHOENIX, ARIZONA

100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900
Facsimile 815-490-4901
www.hinshawculbertson.com

RPorter@hinshawlaw.com

WRITER'S DIRECT DIAL
815-490-4920

June 20, 2003

Mr. Brad Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, 11th Floor
Chicago, Illinois 60601

Re: MDI Limited Partnership No. 42, Complainant v. Regional Board of Trustees for
Boone and Winnebago Counties and Board of Education of Belvidere District
100, Respondents
PCB No. 00-181
Your File No. 754601

Dear Mr. Halloran:

Please find enclosed herewith two originals of the executed Motion to Dismiss for the above-mentioned matter.

Sincerely,

HINSHAW & CULBERTSON

By: 

Richard S. Porter

RSP:jml

RECEIVED
CLERK'S OFFICE

JUN 23 2003
LOS ANGELES, CALIFORNIA
SAN FRANCISCO, CALIFORNIA
STATE OF ILLINOIS
LAUDERDALE, FLORIDA
MIAMI, FLORIDA
TAMPA, FLORIDA
SCHERERVILLE, INDIANA
MINNEAPOLIS, MINNESOTA
ST. LOUIS, MISSOURI
NEW YORK, NEW YORK
APPLETON, WISCONSIN
MILWAUKEE, WISCONSIN
Pollution Control Board
FILE NO. 787866

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

JUN 23 2003

STATE OF ILLINOIS
Pollution Control Board

MDI LIMITED PARTNERSHIP)	PCB No. 00-181
#42, an Illinois Partnership,)	
)	Citizen's Suit Enforcement
Complainant,)	Action
)	
vs.)	
)	
REGIONAL BOARD OF TRUSTEES)	
FOR BOONE AND WINNEBAGO)	
COUNTIES, in their official capacity,)	
and)	
BOARD OF EDUCATION OF)	
BELVIDERE DISTRICT 100, in their)	
official capacity,)	
)	
Respondents.)	

MOTION TO DISMISS

NOW COME Complainant, MDI LIMITED PARTNERSHIP, #42, an Illinois Partnership, by and through its attorney, DONALD LEVINE, and Respondent, BOARD OF EDUCATION OF BELVIDERE DISTRICT 100, by and through its attorneys, HINSHAW & CULBERTSON, and Respondent, REGIONAL BOARD OF TRUSTEES FOR BOONE AND WINNEBAGO COUNTIES, in their official capacity, by and through their attorney, ROGER RUSSELL, and for their Motion to Dismiss, state as follows:

1. The parties in this case have reached a resolution of the matter.
2. The parties hereto jointly motion to dismiss the entire cause of action with prejudice.

WHEREFORE, the parties hereto pray that the Illinois Pollution Control Board enter an Order dismissing this cause with prejudice as to Respondents, Regional Board of Trustees for Boone and Winnebago Counties, in their official capacity, and Board of Education of Belvidere District 100.

Dated: June 12, 2003

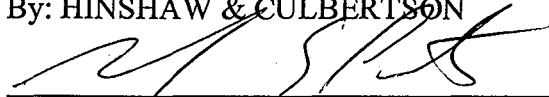
MDI LIMITED PARTNERSHIP #42, an
Illinois Partnership,



Donald Levine
One of Its Attorneys

BOARD OF EDUCATION OF BELVIDERE
DISTRICT 100

By: HINSHAW & CULBERTSON



Richard S. Porter
One of Their Attorneys

REGIONAL BOARD OF TRUSTEES FOR
BOONE AND WINNEBAGO COUNTIES in
their official capacity



Roger Russell
One of Their Attorneys

HINSHAW AND CULBERTSON
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900

RECEIVED
CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JUN 23 2003

MDI LIMITED PARTNERSHIP) PCB No. 00-181
#42, an Illinois Partnership,)
Complainant,) Citizen's Suit Enforcement
vs.) Action
REGIONAL BOARD OF TRUSTEES)
FOR BOONE AND WINNEBAGO)
COUNTIES, in their official capacity,)
and)
BOARD OF EDUCATION OF)
BELVIDERE DISTRICT 100, in their)
official capacity,)
Respondents.)

STATE OF ILLINOIS
Pollution Control Board

MOTION TO DISMISS

NOW COME Complainant, MDI LIMITED PARTNERSHIP, #42, an Illinois Partnership, by and through its attorney, DONALD LEVINE, and Respondent, BOARD OF EDUCATION OF BELVIDERE DISTRICT 100, by and through its attorneys, HINSHAW & CULBERTSON, and Respondent, REGIONAL BOARD OF TRUSTEES FOR BOONE AND WINNEBAGO COUNTIES, in their official capacity, by and through their attorney, ROGER RUSSELL, and for their Motion to Dismiss, state as follows:

1. The parties in this case have reached a resolution of the matter.
2. The parties hereto jointly motion to dismiss the entire cause of action with prejudice.

WHEREFORE, the parties hereto pray that the Illinois Pollution Control Board enter an Order dismissing this cause with prejudice as to Respondents, Regional Board of Trustees for Boone and Winnebago Counties, in their official capacity, and Board of Education of Belvidere District 100.

Dated: June 12, 2003

MDI LIMITED PARTNERSHIP #42, an
Illinois Partnership,



Donald Levine
One of Its Attorneys

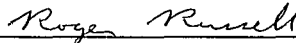
BOARD OF EDUCATION OF BELVIDERE
DISTRICT 100

By: HINSHAW & CULBERTSON



Richard S. Porter
One of Their Attorneys

REGIONAL BOARD OF TRUSTEES FOR
BOONE AND WINNEBAGO COUNTIES in
their official capacity



Roger Russell
One of Their Attorneys

HINSHAW AND CULBERTSON
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900