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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD JUL 22 2003

UNION OIL COMPANY OF CALIFORNIA
d/b/a UNOCAL, a California Corporation
Complainant

STATE OF ILLINOIS
Pollution Control Board

vs.

PCB No. 98-169

BARGE-WAY OIL COMPANY, INC.;
BARGE-WAY SYSTEMS, INC.; JOSEPH
KELLOGG; NIELSEN'S BARGE-WAY;
ROBERT NIELSEN; ROBERT F. ATKINS;
and MOBIL OIL COMPANY, inclusive,
Respondents.

**COMPLAINANT'S MOTION
TO VOLUNTARILY DISMISS
ALL RESPONDENTS AND ALL CLAIMS**

In accordance with the settlement agreement(s) reach by the parties, pursuant to Section 5/2-1009 of the Civil Practice Act (which applies herein in the absence of a different rule established by the Board), Complainant moves to voluntarily dismiss, **with prejudice**, all Respondents and all claims against any and all Respondents.

As Complainant understands the Board imposes no filing fee or other costs on respondents in actions such as this action, Complainant knows of no costs which it must pay to any Respondent named herein so as to meet the terms "upon payment of costs" set forth in said Section 5/2-1009. If such costs have been imposed on any of these Respondents by the Board, upon the request of that Respondent, Complainant stands ready to tender any required payment.

Respectfully submitted,

Gene L. Armstrong & Associates, P.C.

By: 

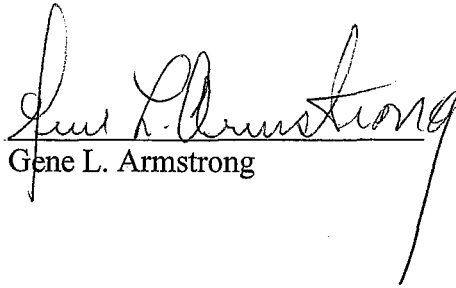
Gene L. Armstrong

One of the Attorneys for Complainant.

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Certificate of Service

The undersigned, an attorney, certifies that on July 22, 2003, he mailed a copy of COMPLAINANT'S MOTION TO VOLUNTARILY DISMISS ALL RESPONDENTS AND ALL CLAIMS from the U.S. Post Office in Oak Park, Illinois, to each person shown on the attached "Service List."


Gene L. Armstrong

SERVICE LIST

Illinois Pollution Control Board Docket No.98-169

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