

JAN - 8 2004

STATE OF ILLINOIS
POLLUTION CONTROL BOARD

BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

| | | |
|-----------------------------|---|--------------------------------|
| MARTIN E and KATHY L. GEBER |) | |
| |) | |
| Complainants, |) | |
| |) | |
| v. |) | PCB 03-96 |
| |) | (Citizens Enforcement - Noise) |
| |) | |
| CARRIE SCHARF TRUCKING AND |) | |
| MATERIALS, CARRIE SCHARF |) | |
| MATERIALS COMPANY, and |) | |
| EAST SIDE MATERIALS, L.L.C. |) | |

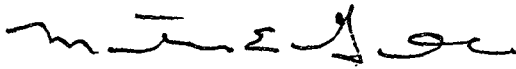
JOINT MOTION TO DISMISS

NOW COMES the parties, Martin E. Geber and Kathy L. Geber, pro se, Carrie scharf Trucking and Materials, Carri Scharf Materials Company and East Side Materials, L.L.C., by and through their attorney of record, and in support of their Joint Motion To Dismiss, states as follows:

1. The parties have reached a settlement agreement resolving all issues pending before the Illinois Pollution Control Board in the above captioned case. It is therefore the request of the parties that Case No.# PCB 03-96 be dismissed with prejudice.

WHEREFORE, the parties jointly requests that the Complaint be dismissed with prejudice.

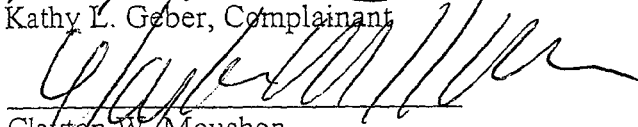
Repectfully Submitted



Martin E. Geber, Complainant



Kathy L. Geber, Complainant



Clayton W. Moushon,
Attorney for Respondents

PROOF OF SERVICE

Under the penalties as provided by law pursuant to 735 ILCS 5/1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the foregoing **JOINT MOTION TO DISMISS** was served upon all parties to the above cause or the attorney(s) of record herein at the respective address(es) disclosed on the pleadings on the 6th day of January, 2003.

TO: Carol Sudman
Hearing Officer
Illinois Pollution Control Board
600 S. Second Street, Suite 402
Springfield, IL 62704

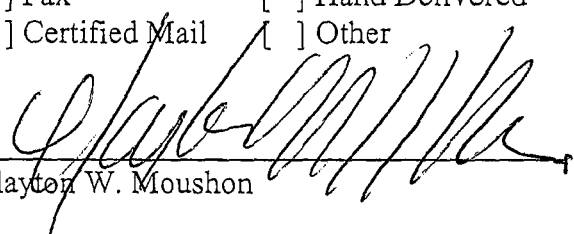
Carri Scharf Trucking and Materials
P.O. Box 305
Bloomington, IL 61702-0305

Martin E. and Kathy I. Geber
116 Donald Court
East Peoria, IL 61611

Ms. Dorothy Gunn
Clerk of the Board
100 W. Randolph St., Suite 11-500
Chicago, Illinois 606012

BY: U.S. Mail
 Overnight Courier

Fax Hand Delivered
 Certified Mail Other



Clayton W. Moushon

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