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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MAR 24 2004

STATE OF ILLINOIS
Pollution Control Board

JEAN A. MATHISON AND)
ROCKFORD STOP-N-GO, INC.,)

Petitioners,)

vs.)

ILLINOIS OFFICE OF STATE)
FIRE MARSHAL AND)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY)

Respondents.)

PCB No. 04-146
(UST Fund Appeal)

NOTICE OF MOTION AND MOTION TO VOLUNTARILY
DISMISS ILLINOIS POLLUTION CONTROL AGENCY

TO: Jennifer A. Tomas
Mitchell L. Cohen
Assistant Attorneys General
188 West Randolph, Suite 2001
Chicago, IL 60601

And

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

PLEASE TAKE NOTICE that the Petitioners, JEAN A. MATHISON and
ROCKFORD STOP-N-GO, INC., by their attorneys, Reinhart Boerner Van
Deuren s.c. and Raymond M. Roder, will and hereby do move for the voluntary
dismissal of the Illinois Environmental Protection Agency ("IEPA") as a

Respondent in the above-entitled action. The grounds for the Motion are as follows:

1. The Petitioners' counsel has been advised and believes is correct that the IEPA took no part in and has no responsibility for the decision on the amount of the deductible, the sole matter at issue in this appeal.

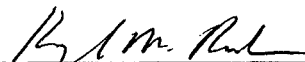
2. The Petitioners, therefore, have no controversy with the IEPA and its participation as a party in this proceeding is unnecessary.

WHEREFORE, the Petitioners move voluntarily for the dismissal of IEPA as a party to this contested proceeding.

Dated at Madison, Wisconsin, this 22nd day of March, 2004.

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