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CLERK'S OFFICE

**SEP 13 2004**

STATE OF ILLINOIS  
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

September 8, 2004

The Honorable Dorothy Gunn  
Illinois Pollution Control Board  
James R. Thompson Center, Ste. 11-500  
100 West Randolph  
Chicago, Illinois 60601

Re: ***People v. John Prior***  
**PCB No. 02-177**

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a NOTICE OF FILING and PEOPLE'S RESPONSE TO RESPONDENT'S MOTION TO STAY in regard to the above-captioned matter. Please file the originals and return file-stamped copies of the documents to our office in the enclosed self-addressed, stamped envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas Davis", is written over a horizontal line.

Thomas Davis, Chief  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9031

TD/pp  
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE

SEP 13 2004

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. )  
)  
JOHN PRIOR, d/b/a PRIOR OIL COMPANY, )  
and JAMES MEZO, d/b/a MEZO OIL )  
COMPANY, )  
)  
Respondents. )

STATE OF ILLINOIS  
Pollution Control Board

PCB NO. 02-177  
(Enforcement)

NOTICE OF FILING

To: Robert B. Holtsclaw  
Hodge Dwyer Zeman  
3150 Roland Avenue  
P.O. Box 5776  
Springfield, IL 62705-5776

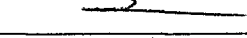
PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, PEOPLE'S RESPONSE TO RESPONDENT'S MOTION TO STAY, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:   
THOMAS DAVIS, Chief  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: September 8, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that I did on September 8, 2004, send by First Class Mail, with postage thereon fully prepaid, by depositing in the United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and PEOPLE'S RESPONSE TO RESPONDENT'S MOTION T STAY

To: Robert B. Holtsclaw  
Hodge Dwyer Zeman  
3150 Roland Avenue  
P.O. Box 5776  
Springfield, IL 62705-5776

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s)

To: Dorothy Gunn, Clerk  
Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601

A true and correct copy was also sent to:

Carol Sudman  
Hearing Officer  
Pollution Control Board  
1021 North Grand Avenue East  
Springfield, Illinois 62794

  
\_\_\_\_\_  
THOMAS DAVIS, Chief  
Assistant Attorney General

This filing is submitted on recycled paper.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE

SEP 13 2004

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
vs. )  
)  
JOHN PRIOR, )  
)  
Respondent. )

No. 02-177  
(Enforcement)

PEOPLE'S RESPONSE TO RESPONDENT'S MOTION TO STAY

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by Lisa Madigan, Attorney General of the State of Illinois, respectfully responds to the Respondent's Motion to Stay and states as follows:

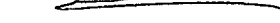
1. The motion seeks merely to stay the payment of civil penalties and attorney's fees pending appeal. Complainant does not object.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

LISA MADIGAN  
Attorney General  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement Division

BY:   
THOMAS DAVIS, Chief  
Environmental Bureau  
Assistant Attorney General

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: September 8, 2004