

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LINCOLN LAND FS, INC.,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB 04-5
(UST Appeal)

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DEC 22 2004

STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING AND PROOF OF SERVICE

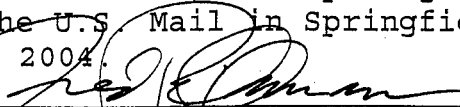
TO: Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street
State of Illinois Building, Suite 11-500
Chicago, IL 60601

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

John Kim
Division of Legal Counsel
Illinois Environmental
Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

PLEASE BE ADVISED THAT we are today filing with the Pollution Control Board the original and nine copies of Motion to Dismiss, a copy of which is attached hereto.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document described above, were today served upon the hearing officer and counsel of record of all parties to this cause by enclosing same in envelopes addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing same in the U.S. Mail in Springfield, Illinois on the 17th day of December, 2004.



Fred C. Prillaman

MOHAN, ALEWELT, PRILLAMAN & ADAMI
1 North Old Capitol Plaza, Suite 325
Springfield, IL 62701

(217) 528-2517 c:\Mapa\CDAVIS\Lincoln Land FS\Motion to Dismiss.wpd sew 12/17/04

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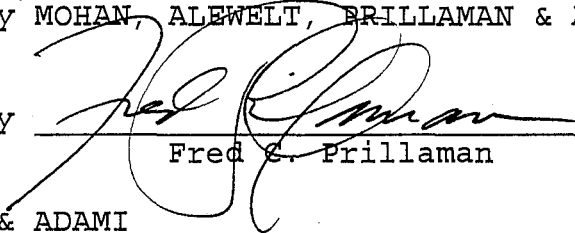
MOTION TO DISMISS

NOW COMES Petitioner, LINCOLN LAND FS, INC., by its undersigned attorneys, and moves to dismiss the pending petition for review, for the reason that the matters at issue have been settled by and between the parties. Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, has no objection to the granting of this motion.

Respectfully submitted,

LINCOLN LAND FS, INC.,
Petitioner

By MOHAN, ALEWELT, BRILLAMAN & ADAMI

By 
Fred C. Prillaman

MOHAN, ALEWELT, PRILLAMAN & ADAMI
1 North Old Capitol Plaza, Suite 325
Springfield, IL 62701
Phone: (217) 528-2517