

ILLINOIS POLLUTION CONTROL BOARD

VILLAGE OF LAKE BARRINGTON, )  
CUBA TOWNSHIP, PRAIRIE RIVERS )  
NETWORK, SIERRA CLUB, BETH )  
WENTZEL and CYNTHIA SKRUKRUD, )

Petitioners, )

v. )

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and )  
VILLAGE OF WAUCONDA, )

Respondents. )

PCB 05-55  
(Third-Party NPDES Permit Appeal  
Water)

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SLOCUM DRAINAGE DISTRICT OF )  
LAKE COUNTY, ILLINOIS )

Petitioner, )

v. )

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and )  
VILLAGE OF WAUCONDA, )

Respondents. )

PCB 05-58  
(Third-Party NPDES Permit Appeal  
Water)

AL PHILLIPS, VERN MEYER, GAYLE )  
DEMARCO, GABRIELLE MEYER, LISA )  
O'DELL, JOAN LESLIE, MICHAEL )  
DAVEY, NANCY DOBNER, MIKE )  
POLITO, WILLIAMS PARK )  
IMPROVEMENT ASSOCIATION, )  
MAT SCHLUETER, MYLITH PARK LOT )  
OWNERS ASSOCIATION, DONALD )  
KREBS, DON BERKSHIRE, JUDY )  
BRUMME, TWIN POND HOMEOWNERS )  
ASSOCIATION, JULIA TUDOR and )  
CHRISTINE DEVINEY. )

Petitioners, )

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PROTECTION AGENCY and )  
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NOTICE OF FILING

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, Illinois 60601

Bradley P. Halloran  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have this 7<sup>th</sup> day of March, 2005 electronically filed with the Office of the Clerk of the Pollution Control Board the Resident Group RESPONSE TO MOTION OF VILLAGE OF WAUCONDA TO DISMISS AND/OR MOTION FOR SUMMARY JUDGMENT, a copy of which is herewith served upon you.

\_\_\_\_\_  
Jay J. Glenn  
Attorney for Resident Group

Jay J. Glenn, Attorney at Law  
2275 Half Day Road, Suite 350  
Bannockburn, Illinois 60015  
(847) 526-9202  
(847) 526-9207 Fax

ELECTRONIC FILING, RECEIVED, CLERK'S OFFICE, MARCH 7, 2005

STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF LAKE            )

Jay J. Glenn, an attorney, hereby certifies that a copy of the foregoing Notice of Filing, Certificate of Service and RESPONSE TO MOTION OF VILLAGE OF WAUCONDA TO DISMISS AND/OR MOTION FOR SUMMARY JUDGMENT, were served on the persons listed below by electronic transfer on March 7, 2005 and were further served on the persons listed below by overnight mail on March 7, 2005.

Percy L. Angelo  
Attorney at Law  
Mayer, Brown, Rowe & Maw, L.L.P.  
190 S. LaSalle Street  
Chicago, Illinois 60603

William D. Seith  
Attorney at Law  
Total Environmental Solutions, P.C.  
631 E. Butterfield Road, Suite 314  
Lombard, Illinois 60148

Albert Ettinger  
Environmental Law and Policy Center  
35 East Wacker Drive, Suite 1300  
Chicago, Illinois 60601

Sanjay K. Sofat, Asst. Counsel  
James Allen Day  
Illinois Environmental Protection Agency  
1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

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**RESPONSE TO MOTION OF VILLAGE OF WAUCONDA  
TO DISMISS AND/OR MOTION FOR SUMMARY  
JUDGMENT**

Now Comes the Resident Group, by and through their attorney JAY J. GLENN,  
and for their RESPONSE TO MOTION OF VILLAGE OF WAUCONDA TO DISMISS  
AND/OR MOTION FOR SUMMARY JUDGMENT, states as follows:

1. That the Resident Group has filed signed original pleadings with the Illinois Pollution Control Board, except one pleading which was filed electronically.
2. That the staff of the Illinois Pollution Control Board spent one entire

ELECTRONIC FILING, RECEIVED, CLERK'S OFFICE, MARCH 7, 2005

afternoon working on the electronic certification necessary to file electronically.

3. That the electronic filing was received by the Illinois Pollution Control Board without objection.

WHEREFORE the Resident Group respectfully requests that the Board deny the Motion of the Village of Wauconda.

Respectfully Submitted,

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Jay J. Glenn

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Attorney at Law  
2275 Half Day Road  
Suite 350  
Bannockburn, Illinois 60015  
(847) 526-9202