

BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

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MAR - 9 2005
STATE OF ILLINOIS
Pollution Control Board

MARTIN OIL MARKETING, LTD.,)
)
Petitioner,)
)
v.) No. PCB 04-93
) (UST Appeal)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on March 9, 2005, we filed with the Clerk of the Illinois Pollution Control Board, 100 West Washington Street, Suite 11-500, Chicago, Illinois 60601, an original and thirteen (13) copies of **Motion for Voluntary Dismissal**, a copy of which is attached hereto and hereby served upon you.

MARTIN OIL MARKETING, LTD.

By Joe Madonia
One of its attorneys

Joseph F. Madonia
WILDMAN HARROLD ALLEN & DIXON, LLP
225 West Wacker Drive, Suite 2800
Chicago, IL 60606
T: 312-201-2000
F: 312-201-2555
Madonia@wildmanharrold.com

PROOF OF SERVICE
(Martin Oil Marketing, Ltd. v. IEPA)
No. PCB 04-93

I, Gail Kaleta, a non-attorney, certify that I served a copy of the foregoing **Motion for Voluntary Dismissal and Notice of Filing** upon the following by U.S. Mail and depositing same at 225 W. Wacker, Chicago, Illinois, 60606 on this 9th day of March, 2005, with proper postage prepaid:

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

Carol Sudman
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Gail Kaleta

[X] Under penalties as provided by law pursuant to ILL. REV. STAT. CHAP. 110 - SEC 1-109, I certify that the statements set forth herein are true and correct.

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 Respondent.)

MOTION FOR VOLUNTARY DISMISSAL

Petitioner, Martin Oil Marketing, Ltd., respectfully moves for Voluntary Dismissal of this appeal. Petitioner has conferred with Respondent and a settlement has been reached, which requires dismissal of this appeal, each party to bear its own costs.

Respectfully Submitted,

MARTIN OIL MARKETING, LTD.



One of its Attorneys

Joseph F. Madonia
WILDMAN HARROLD ALLEN & DIXON, LLP
225 West Wacker Drive, Suite 3000
Chicago, IL 60606
T: 312-201-2000
F: 312-201-2555
madonia@wildmanharrold.com