

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|------------------------|---|---------------------|
| KENNETH E. MEDEMA, JR. |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB No. 05-220 |
| |) | (Enforcement Noise) |
| TNT LOGISTICS |) | |
| NORTH AMERICA, INC., |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

| | | |
|----------------------------|----------------------------|-----------------------|
| TO: | | |
| Ms. Dorothy M. Gunn | Bradley P. Halloran, Esq. | Edward W. Dwyer |
| Clerk of the Board | Hearing Officer | Thomas G. Saffley |
| Illinois Pollution Control | Illinois Pollution Control | HODGE DWYER |
| Board | Board | ZELMAN |
| 100 West Randolph St. | 100 West Randolph St. | 3150 Roland Ave. |
| Suite 11-500 | Suite 11-500 | P.O. Box 5776 |
| Chicago, IL 60601 | Chicago, IL 60601 | Springfield, IL 62705 |

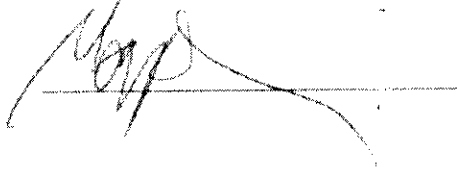
PLEASE TAKE NOTICE that on March 16, 2006, NOLAN LAW OFFICE will file with the Office of the Clerk of the Illinois Pollution Control Board the attached **Motion for Voluntary Dismissal**, copies of which are attached hereto and hereby served upon you.


Attorney for Complainant

Timothy M. Nolan, Mary A. Sullivan
NOLAN LAW OFFICE
Attorneys for Defendants
53 West Jackson Blvd., Suite 1137
Chicago, IL 60604-3702
(312) 322-1100; Fax (312) 322-1106

PROOF OF SERVICE

The undersigned attorney certifies that this notice is served by mailing a copy to each person to whom it is directed, by placing a copy of said document in an envelope properly addressed to each person above with postage prepaid and depositing same in the U.S. Mail at 53 W. Jackson Blvd., Chicago, Illinois on March 16, 2006.



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MOTION FOR VOLUNTARY DISMISSAL.

NOW COMES the Complainant, KENNETH E. MEDEMA, JR., by and through his attorneys, NOLAN LAW OFFICE, and pursuant to 35 Ill. Adm. Code Section 101.500(a) and 735 ILCS 5/2-1009 and moves for Voluntary Dismissal of this matter. In support hereof, Complainant states as follows:

1. On March 16, 2006, during a telephonic status hearing, Complainant moved for voluntary dismissal of this matter and pursuant to 35 Ill. Adm. Code Section 101.500(c) and 35 Ill. Adm. Code Section 101.504, Complainant further sets forth its motion in writing herein.

2. A motion for voluntary dismissal before the Illinois Pollution Control Board is subject to the provisions of 735 ILCS 5/2-1009. Patterman v. Boughton Trucking and Materials, Inc., PCB 99-187.

3. Pursuant to 35 ILCS 5/2-1009, Complainant may, at any time before trial or hearing begins, dismiss his or her action without prejudice.

WHEREFORE, Complainant, KENNETH F. MEDEMA, JR, prays for entry of an Order dismissing the above captioned matter without prejudice.

Respectfully submitted,

NOLAN LAW OFFICE



Attorney for Complainant
Kenneth F. Medema

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Mary Ann Sullivan
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