

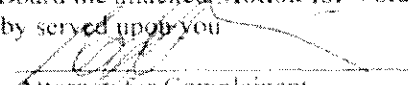
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ROBERT F. KASSELLA, JR., and)	
KELLIE R. KASSELLA,)	
Complainant,)	
)	
v.)	PCB No. 06-001
)	(Enforcement Noise)
TNT LOGISTICS)	
NORTH AMERICA, INC.,)	
)	
Respondent.)	

NOTICE OF FILING

TO:		
Ms. Dorothy M. Cann	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	ZEMAN
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

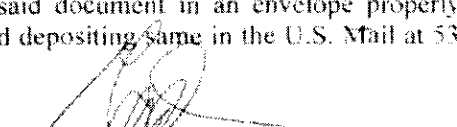


Attorney for Complainant

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Attorneys for Defendants
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(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.



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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KELLIE R. KASSELLA,)	
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v.)	PCB No. 06-001
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MOTION FOR VOLUNTARY DISMISSAL

NOW COME the Complainants, ROBERT R. KASSELLA, JR. and KELLIE R. KASSELLA, by and through their attorneys, NOLAN LAW OFFICE, and pursuant to 35 Ill. Adm. Code Section 101.500(a) and 735 ILCS 5/2-1009 and move for Voluntary Dismissal of this matter. In support hereof, Complainants state as follows:

1. On March 16, 2006, during a telephonic status hearing, Complainants 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, Complainants further set forth their 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, Complainants, ROBERT R. KASSELLA, JR. and KELLIE R. KASSELLA, pray for entry of an Order dismissing the above captioned matter without prejudice

Respectfully submitted,

NOLAN LAW OFFICE



Attorney for Complainants
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and KELLIE R. KASSELLA

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