

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VERNON and ELAINE ZOHFELD,)
)
 Complainants,)
)
 vs.) PCB No. 05-193
) (Citizen's Enforcement, Air)
 BOB DRAKE, WABASH VALLEY)
 SERVICE COMPANY, MICHAEL J.)
 PFISTER, NOAH D. HORTON, and)
 STEVE KINDER,)
)
 Respondents.)

NOTICE OF FILING

TO: Mr. John Therriault Carol Webb, Esq.
Assistant Clerk of the Board Hearing Officer
Illinois Pollution Control Board Illinois Pollution Control Board
100 West Randolph Street 1021 North Grand Avenue East
Suite 11-500 Post Office Box 19274
Chicago, Illinois 60601 Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL) (VIA FIRST CLASS MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board Respondents, Wabash Valley Service Company, Noah D. Horton and Steve Kinder's **RESPONSE TO MOTION FOR VOLUNTARY DISMISSAL AS TO BOB DRAKE**, a copy of which is hereby served upon you.

Respectfully submitted,

WABASH VALLEY SERVICE COMPANY,
NOAH D. HORTON, and STEVE KINDER,
Respondents,

Dated: September 14, 2007

By: /s/ Thomas G. Safley
One of Their Attorneys

Thomas G. Safley
Gale W. Newton
Lauren C. Lurkins
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, Thomas G. Safley, the undersigned, hereby certify that I have served the attached RESPONSE TO MOTION FOR VOLUNTARY DISMISSAL AS TO BOB

DRAKE upon:

Mr. John Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on September 14, 2007; and upon:

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

Stephen F. Hedinger, Esq.
Hedinger Law Office
2601 South Fifth Street
Springfield, Illinois 62703

Thomas H. Bryan, Esq.
Fine & Hatfield, P.C.
520 N.W. Second Street
Evansville, Indiana 47705-0779

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on September 14, 2007.

/s/ Thomas G. Safley

Thomas G. Safley

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VERNON and ELAINE ZOHFELD,)	
)	
Complainants,)	
)	
vs.)	PCB No. 05-193
)	(Citizen's Enforcement, Air)
BOB DRAKE, WABASH VALLEY)	
SERVICE COMPANY, NOAH D.)	
HORTON, and STEVE KINDER,)	
)	
Respondents.)	

RESPONSE TO MOTION FOR VOLUNTARY DISMISSAL AS TO BOB DRAKE

NOW COME Respondents, WABASH VALLEY SERVICE COMPANY, NOAH D. HORTON, and STEVE KINDER, by their counsel, HODGE DWYER ZEMAN, and for their Response to Complainants' MOTION FOR VOLUNTARY DISMISSAL AS TO BOB DRAKE, state that they have no objection to Complainants' MOTION FOR VOLUNTARY DISMISSAL AS TO BOB DRAKE.

Respectfully submitted,

WABASH VALLEY SERVICE COMPANY, NOAH D. HORTON, and STEVE KINDER, Respondents,

Dated: September 14, 2007

By: /s/ Thomas G. Safley
One of Their Attorneys

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