

ILLINOIS POLLUTION CONTROL BOARD
September 20, 2007

VERNON and ELAINE ZOHFELD,)
)
Complainants,)
)
v.) PCB 05-193
) (Citizens Enforcement - Air)
BOB DRAKE, WABASH VALLEY)
SERVICE COMPANY, NOAH D. HORTON,)
and STEVE KINDER,)
)
Respondents.)

ORDER OF THE BOARD (by A.S. Moore):

On September 14, 2007, complainants Vernon and Elaine Zohfeld filed a "Motion for Voluntary Dismissal as to Bob Drake" (Mot.). The motion states that "Complainants have now entered into a monetary settlement with Respondent Bob Drake . . ." Mot. at 2. The motion further states that, "in order to fulfill their requirements under the settlement agreement, Complainants at this time request that this Board dismiss this matter as it pertains to Respondent Bob Drake." *Id.* In addition, the motion reported that "[c]ounsel for the other Respondents have informed counsel for Complainants and counsel for Respondent Bob Drake that they have no objection to a dismissal as requested by Complainants herein." *Id.*

Also on September 14, 2007, respondents Wabash Valley Service Company, Noah D. Horton, and Steve Kinder filed their "Response to Motion for Voluntary Dismissal as to Bob Drake" (Resp.). In that response, those three respondents state "that they have no objection" to complainants' motion. Resp. at 1.

The Board grants complainants' motion for voluntary dismissal as to respondent Bob Drake. Consequently, this order is the last time respondent Drake's name will appear in the caption of this proceeding.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 20, 2007, by a vote of 4-0.



John T. Therriault, Assistant Clerk

Illinois Pollution Control Board