



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 19, 2008

RECEIVED
CLERK'S OFFICE

MAY 21 2008

STATE OF ILLINOIS
Pollution Control Board

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph
Chicago, Illinois 60601

Re: ***People v. Peabody Coal Company***
PCB No. 99-134

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a NOTICE OF FILING and MOTION TO WITHDRAW REQUEST FOR PROTECTIVE ORDER in regard to the above-captioned matter. Please return file-stamped copies of the documents to our office in the enclosed, self-addressed, stamped envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas Davis", is written over a horizontal line.

Thomas Davis, Chief
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 782-9031

TD/pjk
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
HERITAGE COAL COMPANY, LLC, f/k/a)
PEABODY COAL COMPANY, LLC,)
a Delaware corporation,)
)
Respondent.)

PCB NO. 99-134
(Enforcement)

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MAY 21 2008
STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

To: Stephen F. Hedinger
Attorney at Law
2601 South Fifth Street
Springfield, IL 62703

W. C. Blanton
Blackwell Sanders Peper Martin LLP
4801 Main Street, Suite 1000
Kansas City, MO 64112

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, a MOTION TO WITHDRAW REQUEST FOR PROTECTIVE ORDER.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
LISA MADIGAN
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: _____
THOMAS DAVIS, Chief
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: May 19, 2008

CERTIFICATE OF SERVICE

I hereby certify that I did on May 19, 2008, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and MOTION TO WITHDRAW REQUEST FOR PROTECTIVE ORDER

To: Stephen F. Hedinger
Hedinger Law Office
2601 South Fifth Street
Springfield, IL 62703

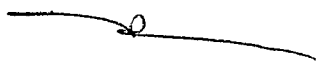
W. C. Blanton
Husch Blackwell Sanders LLP
4801 Main Street, Suite 1000
Kansas City, MO 64112

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid

To: Brad Halloran
Hearing Officer
Pollution Control Board
James R. Thompson Center, Ste. 11-500
100 West Randolph
Chicago, IL 60601



Thomas Davis, Chief
Assistant Attorney General

This filing is submitted on recycled paper.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
HERITAGE COAL COMPANY, LLC, f/k/a)
PEABODY COAL COMPANY, LLC,)
)
Respondent.)

PCB NO. 99-134
(Enforcement)

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STATE OF ILLINOIS
Pollution Control Board

MOTION TO WITHDRAW REQUEST FOR PROTECTIVE ORDER

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, and respectfully moves withdraw its June 6, 2003 motion for protective order.

WHEREFORE, the Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the June 6, 2003 motion for protective order be withdrawn.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: _____
THOMAS DAVIS
MICHAEL MANKOWSKI
STEPHEN J. JANASIE
Environmental Bureau
Assistant Attorneys General

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: 5/19/08