

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

In the Matter of:	)	
	)	
LORETTA THIGPEN	)	
	)	
Complainant.	)	
	)	PCB 08-12
v.	)	(Citizen Enforcement - PWS)
	)	
MORTON MOBILE HOME PARK, LLC,	)	
an Illinois limited liability company, d/b/a	)	
EDGEWOOD TERRACE MOBILE HOME)	)	
PARK,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: See Attached Service List

**PLEASE TAKE NOTICE THAT** on the 30th day of April, 2009, David L. Wentworth II, one of the attorneys for Complainant, LORETTA THIGPEN, filed a Motion for Voluntary Dismissal, via electronic filing as authorized by the Clerk of the Illinois Pollution Control Board.

Respectfully submitted,  
LORETTA THIGPEN, Complainant

By: /s/ David L. Wentworth II  
One of Her Attorneys

David L. Wentworth II  
Hasselberg, Williams, Grebe,  
Snodgrass & Birdsall  
124 SW Adams, Suite 360  
Peoria, IL 61602  
Telephone: (309) 637-1400  
Facsimile: (309) 637-1500

STATE OF ILLINOIS        )  
                                  )  
COUNTY OF PEORIA        )        SS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Notice of Filing and Motion for Voluntary Dismissal were served upon the following persons (Service List) via email (where indicated) and regular U.S. mail on the 30<sup>th</sup> day of April, 2009, before 5:00 p.m., with all fees thereon fully prepaid and addressed as follows:

Office of the Attorney General  
Stephen J. Janasie, Asst. Attorney General  
Environmental Bureau  
500 South Second Street  
Springfield, IL 62706

Arnstein & Lehr  
Attn.: William J. Anaya and  
John F. Hiltz  
120 South Riverside Plaza  
Suite 1200  
Chicago, IL 60606-3910  
wjanaya@arnstein.com

Thomas P. Conley, Registered Agent  
Attn: Morton Mobile Home Park, LLC  
120 S. Riverside Plaza, #1200  
Chicago, IL 60606

Carol Webb, Hearing Officer  
Illinois Pollution Control Board  
1021 N. Grand Avenue East  
P.O. Box 19274  
Springfield, IL 62794-9274  
webbc@ipcb.state.il.us

/s/ David L. Wentworth II  
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PARK,	)	
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**MOTION FOR VOLUNTARY DISMISSAL**

NOW COMES the Complainant, LORETTA THIGPEN, by and through her attorneys, HASSELBERG, WILLIAMS, GREBE, SNODGRASS & BIRDSALL, and pursuant to Section 2-1009 of the Illinois Code of Civil Procedure, 735 ILCS 5/2-1009, and 35 Ill. Admin. Code 101.500, hereby moves this Board to voluntary dismiss this action without prejudice, and in support thereof, states as follows:

1. The Citizen's Complaint was filed on July 30, 2007 regarding, *inter alia*, arsenic in the water wells which supplied Complainant's mobile home located in Edgewood Terrace Mobile Home Park in Morton, Illinois.
2. Respondent has replaced the well water supply to the Edgewood Terrace Mobile Home Park with "city" water supplied by the Village of Morton, said project having been completed in late February or early March 2009.
3. On information and belief, the Agency, through the Attorney General's Office, has informed the Complainant that the Respondent sufficiently complied with a

Compliance Commitment Agreement between the Agency and the Respondent such that no penalties will be sought by the Agency.

4. Respondent's installation of the new water supply lines to the Edgewood Terrace Mobile Home Park has resolved Complainant's primary concerns, and on information and belief, has corrected the arsenic levels in the water supplied by Respondent to her mobile home.

5. Counsel for Complainant has informed the Respondent and the Hearing Officer that this motion would be filed, and has heard no objection.

WHEREFORE, Complainant respectfully prays that this Board grant the Motion for Voluntary Dismissal, dismiss the matter, close the docket, and for such other and further relief as the Board deems just and proper.

Dated: April 30, 2009.

Respectfully submitted,  
LORETTA THIGPEN, Complainant,

/s/ David L. Wentworth II  
One of her Attorneys

David L. Wentworth II  
Hasselberg, Williams, Grebe,  
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Peoria, IL 61602-1320  
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