

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

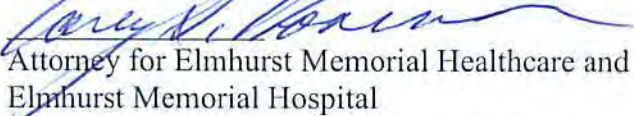
ELMHURST MEMORIAL HEALTHCARE and)
ELMHURST MEMORIAL HOSPITAL)
)
Complainants,)
)
v.) PCB 09-66
) (Citizen's Enforcement – Land)
CHEVRON U.S.A. INC. and Texaco Inc.,)
)
Respondent.)

NOTICE OF FILING

To: Joseph A. Girardi Jennifer A. Burke
Robert B. Christie Board Member
Henderson & Lyman Bradley P. Halloran
Attorneys for Chevron U.S.A. Inc. Hearing Officer
175 W. Jackson Blvd., Suite 240 Illinois Pollution Control Board
Chicago, Illinois 60604 James R. Thomson Center, Suite 11-500
jgirardi@henderson-lyman.com 100 W. Randolph Street
rchristie@henderson-lyman.com Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have on March 29, 2012, electronically filed with the Office of the Clerk of the Pollution Control Board COMPLAINANTS' MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE, a copy of which is hereby served upon you.

Elmhurst Memorial Healthcare
Elmhurst Memorial Hospital

By: 
Attorney for Elmhurst Memorial Healthcare and
Elmhurst Memorial Hospital

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v.)	PCB 09-66
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COMPLAINANTS' MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE

Complainants Elmhurst Memorial Healthcare and Elmhurst Memorial Hospital (collectively, "Complainants"), hereby move this Board to voluntarily dismiss with prejudice the above-captioned matter , which is now pending against Respondents Chevron U.S.A. Inc., a California corporation, and Texaco Inc., a Delaware corporation (collectively, "Respondents"). (This Motion is directed to the Board.) In support of this Motion, Complainants state as follows:

1. The Formal Complaint in this case was filed on March 6, 2009. In 2010 Complainants filed an Amended Formal Complaint.
2. Complainants and Respondents have settled all matters between them regarding the Amended Formal Complaint, and Complainants desire to voluntarily dismiss this matter with prejudice.
3. Respondents have represented to Complainants that they agree with this Motion and, therefore, will file no response thereto.

WHEREFORE, Complainants respectfully request that this Board grant their Motion for Voluntary Dismissal With Prejudice and enter an order dismissing this action with prejudice.

Respectfully submitted,

By:



Carey S. Rosemarin

Attorney for Elmhurst Memorial Healthcare and
Elmhurst Memorial Hospital

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CERTIFICATE OF SERVICE

I, the undersigned, on March 29, 2012 caused the foregoing "COMPLAINANTS" MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE and concomitant Notice of Filing to be electronically filed with the Office of the Clerk, and caused a true and correct copy of said documents to be served by electronic mail upon:

Joseph A. Girardi
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