

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
)	
v.)	PCB No. 17 – 45
)	(Enforcement – Land)
MAGNA TAX SERVICE CO., INC.,)	
Respondent.)	

NOTICE OF FILING

PLEASE TAKE NOTICE that today I have filed with the Office of the Clerk of the Pollution Control Board the Response to Complainant's Motion to Strike Respondent's Affirmative Defenses III through VI and hereby serve the same upon you.

To: Pollution Control Board, Attn: Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218
(via electronic filing)

Rachel Medina
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(Via Email: rmedina@atg.state.il.us)

Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
(Via Email: carol.webb@illinois.gov)

Respectfully submitted,
MAGNA TAX SERVICE CO., INC.

Dated: September 5, 2017

By: /s/William D. Ingersoll
One of its Attorneys

BROWN, HAY & STEPHENS, LLP

William D. Ingersoll
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**RESPONSE TO COMPLAINANT’S MOTION TO STRIKE
RESPONDENT’S AFFIRMATIVE DEFENSES III THROUGH VI**

Respondent, MAGNA TAX SERVICE CO., INC., by its attorneys Brown, Hay & Stephens, LLP, pursuant to Section 101.500(d) (35 Ill. Adm. Code 101.500(d)) and consistent with the Hearing Officer Order of August 7, 2017, hereby files its Response to Complainant’s Motion to Strike Respondent’s Affirmative Defenses III through VI as follows:

1. The Respondent filed Additional Affirmative Defenses, specifically to add Affirmative Defenses III through VI, on July 6, 2017.
2. The Hearing Officer issued a scheduling order on August 7, 2017 regarding the filing of a motion to strike and any response to that motion.
3. The Complainant filed its Motion to Strike Respondent’s Affirmative Defenses III through VI.
4. The Respondent wishes to WITHDRAW the Additional Affirmative Defenses III through VI filed herein on July 6, 2017.

WHEREFORE, Respondent Magna Tax respectfully requests that its Affirmative Defenses numbered III through VI be withdrawn.

Respectfully submitted,
MAGNA TAX SERVICE CO., INC.

Dated: September 5, 2017

By: /s/William D. Ingersoll
One of its Attorneys

BROWN, HAY & STEPHENS, LLP

William D. Ingersoll

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CERTIFICATE OF E-MAIL SERVICE

I, William D. Ingersoll, certify that I have this date served the attached Notice of Filing and Response to Complainant's Motion to Strike Respondent's Affirmative Defenses III through VI by e-mail as described below and from my e-mail address as indicated below, upon the following persons:

To: Carol Webb
Hearing Officer
Illinois Pollution Control Board
carol.webb@illinois.gov

Rachel Medina
Assistant Attorney General
Environmental Bureau
rmedina@atg.state.il.us

The number of pages in this e-mail transmission is four (4).

Dated: September 5, 2017

BROWN, HAY & STEPHENS, LLP

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By: /s/William D. Ingersoll
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