ILLINOIS POLLUTION CONTROL BOARD
January 19, 2006

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 05-181
	)	(Enforcement – Air)
PATTISON ASSOCIATES LLC, an Illinois	)	
limited liability company, and	)	
5701 SOUTH CALUMET LLC, an Illinois	)	
limited liability company,	)	
	)	
Respondents.	)	

ORDER OF THE BOARD (by T.E. Johnson):

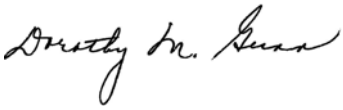
On April 4, 2005, the People of the State of Illinois (People) filed a five-count air pollution complaint against respondents Pattison Associates, LLC (Pattison) and 5701 South Calumet, LLC (5701 Calumet) (collectively, respondents). The complaint concerns renovation activities conducted by Pattison at an apartment complex owned by 5701 Calumet in Chicago, Cook County. On October 14, 2005, the respondents filed an answer to the complaint that contained two affirmative defenses.

The People filed a motion to dismiss the affirmative defenses on November 16, 2005. In the motion, the People argue that the defenses were not proper affirmative defenses and should be dismissed. On December 20, 2005, the respondents filed a motion to withdraw the affirmative defenses asserted in the answer.

The Board grants the respondents' motion, and allows the affirmative defenses asserted in the answer to be withdrawn. The People's motion to dismiss the affirmative defenses is moot, and will not be considered by the Board.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 19, 2006, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board