

**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

ORIGINAL

RED ROOSTER CORPORATION)	
(f/k/a CLARK RETAIL ENTERPRISES,)	
INC.) (CLARK OIL #2086),)	
)	
Petitioner,)	PCB No. 05-125
)	PCB No. 05-126
vi.)	(UST Appeal)
)	(Consolidated)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING AND PROOF OF SERVICE

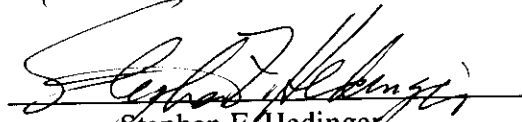
The undersigned certifies that an original and nine copies of the foregoing Petitioner's Motion for Voluntary Dismissal and of this Notice of Filing and Proof of Service, were served upon the Clerk of the Illinois Pollution Control Board, and one copy to each of the following parties of record and hearing officer in this cause by enclosing same in an envelope addressed to:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

John J. Kim and Melanie Jarvis
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, IL 62794-9276

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East, P.O. Box 19274
Springfield, IL 62796-9274

with postage fully prepaid, and by depositing said envelope in a U.S. Post Office Mail Box in Springfield, Illinois before 5:30 p.m. on 29 June, 2007.


Stephen F. Hedinger

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**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

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STATE OF ILLINOIS
Pollution Control Board

RED ROOSTER CORPORATION)
(f/k/a CLARK RETAIL ENTERPRISES,)
INC.) (CLARK OIL #2086),)

Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB No. 05-125

PCB No. 05-126

(UST Appeal)

(Consolidated)

ORIGINAL

PETITIONER'S MOTION FOR VOLUNTARY DISMISSAL

NOW COMES Petitioner, RED ROOSTER CORPORATION, through its undersigned attorneys, and moves this Board for leave to voluntarily dismiss both the pending petitions for administrative review filed in this consolidated case. In support, Petitioner states as follows:

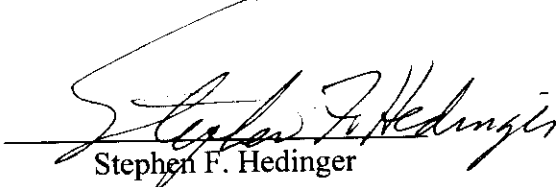
1. Petitioner and Respondent have settled all claims raised in this matter. Dismissal has been withheld pending payment by means of LUST Fund reimbursement of the agreed-upon amounts.
2. Petitioner has now received payment in full, and with agreement and approval of Respondent, hereby requests voluntary dismissal of both petitions for review in this consolidated action.

WHEREFORE, Petitioner RED ROOSTER CORPORATION, requests that this Board dismiss this consolidated administrative review action, including both PCB 05-125 and PCB 05-126, pursuant to the parties' agreement.

Respectfully submitted,

RED ROOSTER CORPORATION f/k/a
CLARK RETAIL ENTERPRISES, INC.
Petitioner,

By its undersigned attorney,

By: 
Stephen F. Hedinger

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