

**State of Illinois**  
**Pollution Control Board**  
**James R. Thompson Center**  
**100 W. Randolph Street, Suite 1 1-500**  
**Chicago, Illinois 60601**

**RECEIVED**  
**CLERK'S OFFICE**  
 JUL 07 2009  
**STATE OF ILLINOIS**  
**Pollution Control Board**

<http://www.ipcb.state.il.us/>

In The Matter Of: )  
 Anne McDonagh & David Fishbaum )  
 1464 Linden Avenue )  
 Highland Park, IL 60035 )  
 )  
 Complainant(s) )  
 )  
 v. ) PCB 2008 - 076  
 Richard and Amy Michelin )  
 1474 Linden Avenue )  
 Highland Park IL 60035 )  
 Respondent(s) )

**NOTICE OF FILING TO:**

Eliot Wiczer, Wiczer & Zelmar,  
 500 Skokie Valley Road, Suite 350  
 Northbrook IL 60067

PLEASE TAKE NOTICE THAT ON July 7, 2009, THE UNDERSIGNED electronically transmitted to the State of Illinois Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601, a copy of Complainants' Motion to Dismiss, a copy of which is attached hereto and served upon you. *Anne McDonagh*

**CERTIFICATE OF SERVICE**

I, Anne McDonagh, do state that I have sent a copy of this Complainants' Motion to Dismiss, to be served upon the persons named above by sending it via U.S. Mail

on July 7, 2009.

*Anne McDonagh*

**State of Illinois**  
**Pollution Control Board**  
**James R. Thompson Center**  
**100 W. Randolph Street, Suite 11-500**  
**Chicago, Illinois 60601**

<http://www.ipcb.state.il.us/>

In The Matter Of: )  
 Anne McDonagh & David Fishbaum )  
 1464 Linden Avenue )  
 Highland Park, IL 60035 )

Complainant(s) )

v. )  
 Richard and Amy Michelon )  
 1474 Linden Avenue )  
 Highland Park IL 60035 )

PCB 2008 - 076

Respondent(s) )

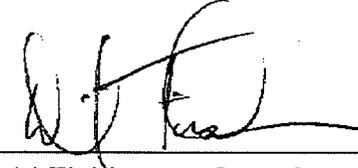
July 6, 2009

**Complainants' Motion to Dismiss**

As the Respondents have now relocated their three air conditioning units, the noise no longer enters our property. Therefore, Complainants move that the Pollution Control Board dismiss this matter.

Respectfully submitted,

  
 \_\_\_\_\_  
 Anne McDonagh, Complainant

  
 \_\_\_\_\_  
 David Fishbaum, Complainant

July 6, 2009  
 \_\_\_\_\_  
 Date

6-Jul-09  
 \_\_\_\_\_  
 Date

Certificate Of Service

Service by Non-Attorney

PROOF OF SERVICE

I, the undersigned, on oath [or affirmation] state that I have served on the date of 7/7/09  
Complainants' Motion to Dismiss by electronic filing upon the following:

State of Illinois Pollution Control Board, Attn: Clerk

James R. Thompson Center

100 W. Randolph Street, Suite 11-500

Chicago, Illinois 60601

And via U.S. Mail upon the following:

Elliot Wiczer

Wiczer & Zelmar

500 Skokie Valley Road

Suite 350

Northbrook, IL 60067

Anne McDonagh 7/7/09  
Anne McDonagh date

Notary Seal

SUBSCRIBED AND SWORN TO BEFORE ME this 7 day of JULY  
20 09

Barry Duke  
Notary Public

