

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

INDIAN CREEK DEVELOPMENT  
COMPANY, an Illinois partnership,  
individually as beneficiary under Trust 3291 of  
the Chicago Title and Trust Company, dated  
December 15, 1981 and the Chicago Title and  
Trust Company, as Trustee under Trust 3291,  
dated December 15, 1981.,

Complainant,

v.

The BURLINGTON NORTHERN SANTA FE  
RAILWAY COMPANY, a Delaware  
corporation.,

Respondent.

PCB No. 07-44

(Citizens Enforcement - Land,  
Water)

**NOTICE OF FILING**

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on May 18, 2010, we electronically filed with the Clerk of  
the Illinois Pollution Control Board, an Appearance on behalf of the Complainant, a copy of  
which is attached hereto and hereby served upon you.

Dated: May 18, 2010

Respectfully submitted,

On behalf of the Complainant.

/s/ Richard S. Porter

Richard S. Porter  
One of Its Attorneys

Charles F. Helsten  
Richard S. Porter  
Hinshaw & Culbertson LLP  
100 Park Avenue  
P.O. Box 1389  
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815-490-4900

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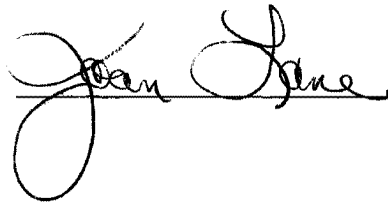


**AFFIDAVIT OF SERVICE**

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on May 18, 2010, she caused to be served a copy of the foregoing upon:

Burlington Northern and Santa Fe Railway Company R/A CT Corporation System 208 South LaSalle Street Chicago, IL 60604	Robert M. Baratta, Jr. Freeborn & Peters 311 South Wacker Dr., Suite 3000 Chicago, IL 60606-6677
Weston W. Marsh Freeborn & Peters 311 South Wacker Drive Suite 3000 Chicago, IL 60606-6677	James H. Wiltz Freeborn & Peters 311 South Wacker Drive Suite 3000 Chicago, IL 60606-6677
James R. Griffin Schain, Burney, Ross & Citron, Ltd. 222 N. LaSalle Street Suite 1910 Chicago, IL 60601-4514	M. Hope Whitfield Schain, Burney, Ross & Citron, Ltd. 222 North LaSalle Street Suite 1910 Chicago, IL 60601-4514
Stuart A. Petersen Law Offices of Stuart A. Petersen. Ltd. 601 N. Farnsworth Ave. P.O. Box 7545 Aurora, IL 60507	

A copy of the same was enclosed in an envelope in the United States mail at Rockford, Illinois, proper postage prepaid, before the hour of 5:00 p.m., addressed as above.



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