

ILLINOIS POLLUTION CONTROL BOARD

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**STATE OF ILLINOIS
Pollution Control Board**

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
SUPER MIX, INC., an Illinois corporation,)
)
Defendant.)

PCB 11-88
(Enforcement – Water)

NOTICE OF MOTION

TO: Jennifer A Van Wie
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington St., Suite 1800
Chicago, IL 60602
Fax: 312.814.2347

Bradley P. Halloran
Hearing Officer
James R. Thompson Center
100 West Randolph St., Ste. 11-500
Chicago, Illinois 60601
Fax: 312.814.3669

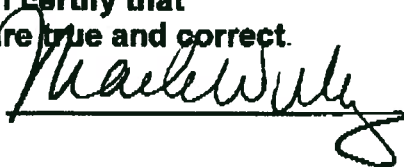
On Thursday, April 5, 2012 at 11:45 A.M., there shall be a telephonic status conference where this Motion will be referenced.

Name: Donald C. Stinespring & Associates **Attorney for:** Defendant
Address: P.O. Box 382, Richmond, Illinois 60071 **Attorney No:** 2738708
Telephone: (815) 678-4553

PROOF OF SERVICE BY FACSIMILE

I, Marla Willey a non-attorney, on oath state I served this notice by faxing a copy of the above at the facsimile numbers listed above the hour of 2:00 p.m. on this 2nd day of April, 2012.

[x] Under penalties as provided by Law pursuant to IL.REV.STAT. Ch.110-Sec. 1-109 I certify that the statements set forth herein are true and correct.



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)	(Enforcement – Water)
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MOTION FOR LEAVE TO WITHDRAW

NOW COMES, DONALD C. STINESPRING & ASSOCIATES, Attorneys of record for Defendant, SUPER MIX, INC., an Illinois corporation, and pursuant to Illinois Supreme Court Rule 13, respectfully requests for leave to withdraw as Attorney for Defendant and in support thereof, states as follows:

1. Our firm was retained by the Defendant, as its customary corporate counsel, to attempt to resolve the issues pending in this case.
2. To that end, meetings and information have been shared with the Illinois Attorney General's Office over a period of many months to attempt to reduce the substantial fine the IEPA is attempting to levy based on allegations the Defendant vehemently denies.
3. The IEPA has now concluded that they are no longer willing to discuss negotiation of the fine at this time.
4. Based on previous representations, it is my understanding that Ms. Jennifer Van Wie, Assistant Attorney General (Environmental Bureau), will seek to set a discovery schedule and send this matter down a litigation rather than a settlement track.
5. Our firm was not retained, nor does it handle, any complex environmental litigation for which this case has now transitioned.
6. I have been informed that my client is out of town until April 9, 2012.

7. Since the next phone conference is currently set for April 5, I respectfully request an Order be entered on that day allowing this Motion for Leave to Withdraw and granting my client 21 days to obtain outside counsel and to enter an Appearance in this case.
8. This Motion is not brought for delay or harassment and is brought the first day after counsel returned from a vacation previously disclosed to both Ms. Van Wie and Mr. Halloran.

WHEREFORE, DONALD C. STINESPRING & ASSOCIATES, move that they be permitted to withdraw as attorneys of record for Plaintiff, SUPER MIX, INC.

DONALD C. STINESPRING & ASSOCIATES

By: 
John J. Murray Jr.

DONALD C. STINESPRING & ASSOCIATES
John J. Murray Jr.
Attorney for Plaintiff
5414 Hill Road, P.O. Box 382
Richmond, Illinois 60071
(815)678-4553
ARDC #6295292