

ILLINOIS POLLUTION CONTROL BOARD
May 1, 1997

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|-------------------------------|---|---------------------------|
| COUNTY OF WILL, |) | |
| |) | |
| Complainant, |) | |
| |) | AC 97-55 |
| v. |) | (Administrative Citation) |
| |) | (WC 97 AC 6) |
| PHYLLIS HARRINGTON and PHILIP |) | |
| SANDBERG, JR., |) | |
| |) | |
| Respondents. |) | |

ORDER OF THE BOARD (by J. Theodore Meyer):

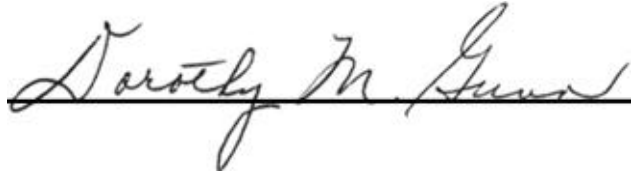
This matter is before the Board on an April 10, 1997 motion to dismiss unnecessary parties (Motion) filed by respondents. Respondents state that Pioneer Trust & Savings Bank, now known as Banco Popular, is the holder of Trust #17020 and has no material interest or knowledge in the litigated issues. (Motion at 1.) Respondents further state that Darryl Sandberg is deceased, and that the true beneficiaries of the Trust #17020 are Phyllis Harrington (formerly known as Phyllis Sandberg) and Philip Sandberg, Jr. The motion requests that Candice Sandberg be dismissed from this matter because she simply holds a mortgage on Trust #17020 and has no material interest or knowledge in the litigated issues. (Motion at 2.) The motion also requests that Sandra Sandberg be dismissed from this matter because she is not a beneficiary of Trust #17020. Finally, the motion states that respondents Phyllis Harrington and Philip Sandberg, Jr. are prepared to defend this action. (Motion at 2.)

In a letter dated April 17, 1997 County of Will stated that it had no objection to respondents' motion. The Board grants respondents' motion to dismiss the following parties from this matter: Pioneer Trust & Savings Bank (Banco Popular), Darryl Sandberg, Candice Sandberg and Sandra Sandberg. The Board also corrects the remaining respondents' names to Phyllis Harrington and Philip Sandberg, Jr.

On April 22, 1997 respondents filed a petition for review. This matter shall proceed to hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 1st day of May, 1997, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board