

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF PERRY  
Complainant,  
  
v.  
  
UNION PACIFIC RAILROAD COMPANY c/o  
Registered Agent, CT Corporation Systems,  
Respondent.

AC 13-55

  
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OCT 11 2013  
STATE OF ILLINOIS  
Pollution Control Board

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on October 11, 2013, I filed with the Clerk of the Pollution Control Board of the State of Illinois, Union Pacific Railroad Company and County of Perry's Joint Motion to Dismiss the Amended Administration Citation of County of Perry, a copy of which is attached hereto and herewith served upon you.

By:   
Caitlin M. Shields

Caitlin M. Shields  
Attorney for Respondent,  
Union Pacific Railroad Company  
Rooney Rippie & Ratnaswamy LLP  
350 West Hubbard Street, Suite 600  
Chicago, Illinois 60654  
(312) 447-2800

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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**PARTIES' JOINT MOTION TO DISMISS**

Union Pacific Railroad Company ("Union Pacific") and County of Perry ("Perry County," together with Union Pacific, the "Parties") by and through their counsel, pursuant to 735 ILCS 5/2-1009 and 35 Ill. Admin Code Sec. 101.500, together submit this Joint Motion to Dismiss the Amended Administrative Citation (the "Citation") of County of Perry ("Perry County"). In support thereof, the Parties state:

1. On or about June 17, 2013, Perry County filed its Citation with the Illinois Pollution Control Board ("Board"), which was served on Union Pacific via statutory agent on June 25, 2013. On July 30, 2013, Union Pacific filed its Verified Petition for Review of the Administrative Citation.

2. The Parties have reached settlement on all issues alleged in the Citation and therefore jointly request that the Board dismiss the Citation.

WHEREFORE, for the reasons stated herein, Union Pacific Railroad Company and County of Perry jointly request that the Illinois Pollution Control Board grant this Joint Motion to Dismiss, with prejudice.

Dated: October 11, 2013

Respectfully submitted,  
UNION PACIFIC RAILROAD COMPANY

By: C. Shields  
One of its attorneys

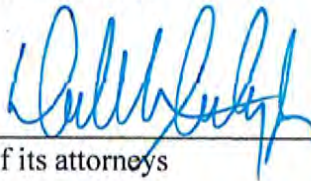
Caitlin M. Shields  
Rooney Rippie & Ratnaswamy LLP  
350 West Hubbard Street  
Suite 600  
Chicago, IL 60654

Counsel for Union Pacific Railroad Company

Dated: October 11, 2013

Respectfully submitted,

COUNTY OF PERRY

By:   
One of its attorneys

David H. Searby, Jr.  
Assistant State's Attorney  
Office of the Perry County State's Attorney  
Perry County Courthouse  
1 Public Square  
Pinckneyville, Illinois 62274

Counsel for the County of Perry

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CERTIFICATE OF SERVICE

**NOW COMES** Caitlin M. Shields, counsel for Respondent, Union Pacific Railroad Company, and provides proof of service of the attached Joint Motion to Dismiss and Notice of Filing upon the parties listed on the attached Service List, by having a true and correct copy affixed with proper postage placed in the U.S. Mail at Rooney, Rippie, Ratnaswamy LLP, 350 West Hubbard Street, Suite 600, Chicago Illinois 60654, at or before 4:30 p.m. on **October 11, 2013**.



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Caitlin M. Shields

Caitlin M. Shields  
Attorney for Respondent,  
Union Pacific Railroad Company  
Rooney Rippie & Ratnaswamy LLP  
350 West Hubbard Street, Suite 600  
Chicago, Illinois 60654  
(312) 447-2800

Dated: October 11, 2013

**SERVICE LIST**

Perry County State's Attorney's Office  
Perry County Courthouse  
1 Public Square  
Pinckneyville, IL 62274  
(618) 357-6221