

necessary parties to render a decision.

5. Ronnie Todd and Ronnie Todd Land Trust are entitled to seek contribution; cross-claim or counter-claim relief against any party who had title to the property previously, and / or those who were in control of the premises at the time of the release of contaminants.

6. All parties must be before the court in order for any order to be valid. (Zurich Insurance Company V. Baxter International Company 655 N.E. 2nd 1173, 275 ILL. App. 3rd 30; 735/ILCS 5/2-406(a).) The bringing in by the court of all necessary parties is not discretionary but is mandatory.

Wherefore, Ronnie Todd and Ronnie Todd Land Trust pray that they be dismissed from this suit as parties and owners, or in the alternative that all previous owners be determined and be joined as parties respondent.

Ronnie Todd, Ronnie Todd Land Trust



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ORIGINAL

ILLINOIS POLLUTION CONTROL BOARD

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PEOPLE OF THE STATE OF ILLINOIS,

Complainant,

v.

MICHEL GRAIN COMPANY, INC.
d/b/a MICHEL FERTILIZER, an Illinois
corporation, CARYLE MICHEL, and
RONNIE TODD

Respondents.

STATE OF ILLINOIS
Pollution Control Board

PCB 96-143
(Enforcement-Water)

PROOF OF SERVICE

The undersigned certifies that a copy of the MOTION TO DISMISS for Ronnie Todd was mailed to each of the following at their address as disclosed by the pleadings of record herein, with postage prepaid, and by depositing said envelope in a U.S. Post Office Mailbox in McLeansboro, Illinois, on July 15, 2003.

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