

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF 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-07-44
Citizens Enforcement
§21(e), §12(a), §12(d)

 ORIGINAL


NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on **November 8, 2013**, we caused to be filed with the Illinois Pollution Control Board located at the James R. Thompson Center, 100 West Randolph, Suite 11-500, Chicago, Illinois, a **Notice of Agreed Withdrawal and Substitution of Counsel**, a copy of which is attached hereto and is herewith served upon you.

Respectfully submitted,

Indian Creek Development Company

By: 
One of Its Attorneys

William J. Anaya (ARDC No. 6180020)
Matthew E. Cohn (ARDC No. 6273807)
Arnstein & Lehr LLP
120 South Riverside Plaza
Suite 1200
Chicago, Illinois 60606
(312) 876-7100
wjanaya@arnstein.com
mecohn@arnstein.com

CERTIFICATE OF SERVICE

Matthew E. Cohn, an attorney, certifies that a true and correct copy of the foregoing **Notice of Agreed Withdrawal and Substitution of Counsel** was served upon the following counsel of record:

Sean Sullivan
Pam Nehring
Jennifer E. Schuch
Daley Mohan Groble, P.C.
55 West Monroe Street
Suite 1600
Chicago, IL 60603
(312) 422-5534
Fax: (312) 422-5370
Ssullivan@daleymohan.com
PNehring@daleymohan.com
JSchuch@daleymohan.com

Stuart A. Petersen
Law Office of Stuart A. Petersen
601 North Farnsworth
Aurora, IL 60505
stuart@stulaw.com

by depositing a copy thereof, enclosed in an envelope, in the United States Mail at 120 South Riverside Plaza, Chicago, Illinois, proper postage prepaid, at or about the hour of 5:00 p.m., on November 8, 2013.



Matthew E. Cohn

SERVICE LIST

Sean Sullivan
Pam Nehring
Jennifer E. Schuch
Daley Mohan Groble, P.C.
55 W. Monroe Street
Suite 1600
Chicago, IL 60603
(312) 422-5534
Fax: (312) 422-5370
Ssullivan@daleymohan.com
PNehring@daleymohan.com
JSchuch@daleymohan.com

Stuart A. Petersen
Law Office of Stuart A. Petersen
601 N. Farnsworth
Aurora, IL 60505
stuart@stulaw.com

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NOTICE OF AGREED WITHDRAWAL AND SUBSTITUTION OF COUNSEL

Richard S. Porter of Hinshaw and Culbertson, LLP and William J. Anaya and Matthew E. Cohn of Arnstein & Lehr LLP provide notice to the Board of the withdrawal of Richard S. Porter and Hinshaw & Culbertson LLP as counsel of record for Complainant, and the substitution of William J. Anaya and Matthew E. Cohn of Arnstein & Lehr LLP as counsel for Complainant. In support, withdrawing and substituting counsel notify the Board of the following:

1. Complainant directed Hinshaw & Culbertson LLP to withdraw as counsel for Complainant in this matter.

2. Complainant directed Arnstein & Lehr LLP to represent Complainant in this matter.

3. All pleadings, motions, orders, correspondence and documents filed and notices of all hearings and depositions directed to Complainant in the above-captioned case shall be served upon William J. Anaya and Matthew E. Cohn as counsel for Complainant as follows:

William J. Anaya
Matthew E. Cohn
Arnstein & Lehr LLP
120 South Riverside Plaza
Suite 1200
Chicago, Illinois 60606
wjanaya@arnstein.com
mecohn@arnstein.com
(312) 876-7100

4. Substitution of counsel will not unduly delay or unfairly prejudice Respondent.

5. William J. Anaya and Matthew E. Cohn will file separate written notices of appearance.

Respectfully submitted,



Richard S. Porter



William J. Anaya



Matthew E. Cohn

Richard S. Porter
Hinshaw & Culbertson, LLP
100 Park Avenue
Rockford, Illinois 61101
(815) 490-4920
rporter@hinshawlaw.com

William J. Anaya
Matthew E. Cohn
Arnstein & Lehr LLP
120 South Riverside Plaza, Suite 1200
Chicago, Illinois 60606
(312) 876-7100
wjanaya@arnstein.com
mecohn@arnstein.com