

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NOV 22 2004

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN, Attorney General
of the State of Illinois,

Complainant,

vs.

RANDY OLDENBERGER, d/b/a
ENVIRONMENTAL HEALTH and SAFETY,

Respondent.

STATE OF ILLINOIS
Pollution Control Board

PCB No. 05-51
(Enforcement - Air)

NOTICE OF FILING

TO: Bryan G. Selander
Schlueter Ecklund
4023 Charles Street
Rockford, Illinois 61108

Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the Complainant's response to Respondent's motion to dismiss Randy Oldenberger from the Complaint, Notice of Filing, and a Certificate of Service, a copy of which is attached and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General
State of Illinois

BY: 

ZEMEHERET BEREKET-AB
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Flr.
Chicago, IL 60601
(312) 814-3816

DATE: November 22, 2004

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RECEIVED
CLERK'S OFFICE

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**COMPLAINANT'S RESPONSE TO
RESPONDENT'S MOTION TO DISMISS**

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by its attorney,
ZEMEHERET BEREKET-AB and responds to Respondent's motion to dismiss RANDY
OLDENBERGER from the Complaint.

1. The most current records of the Illinois Secretary of State show that the Respondent Environmental Health & Safety Services, Inc. is a corporation in good standing.
2. On August 27, 2004, the corporation paid the appropriate filing fees and was reinstated as a corporation in good standing.
3. Therefore, Complainant is prepared to file a first amended complaint only against the corporation and will drop Randy Oldenberger from the Complaint.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General
State of Illinois

BY: 

ZEMEHERET BEREKET-AB
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Flr.
Chicago, IL 60601
(312) 814-3816

DATE: November 22, 2004

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached Complainant's Response to Respondent's Motion to Dismiss, Notice of Filing, and Certificate of Service via United States

Postal certified mail upon the following person:

Bryan G. Selander
Schlueter Ecklund
4023 Charles Street
Rockford, Illinois 61108



ZEMEHERET BEREKET-AB
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Flr.
Chicago, Illinois 60601