

APR 13 2005

STATE OF ILLINOIS  
Pollution Control Board

PCB 05-124  
(UST APPEAL)

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,

Respondent.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, Illinois 60601-3218

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Motion for Leave and Verified Petition to Appear *Pro Hac Vice* on behalf of Mac's in the above referenced matter, a copy of which is herewith served upon you.

HATCHETT & HAUCK LLP

D. S. R. A. K.

ATTORNEYS FOR MAC'S  
CONVENIENCE STORES LLC

APR 13 2005

MAC'S CONVENIENCE STORES LLC,

Petitioner,

vs.

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,

Respondent.

PCB 05-124 STATE OF ILLINOIS  
(UST APPEAL) Pollution Control Board

**MOTION FOR LEAVE TO APPEAR *PRO HAC VICE***

Pursuant to 35 Illinois Administrative Code 101.400, David L. Hatchett respectfully moves for admission *pro hac vice*:

1. David L. Hatchett is a partner of the law firm Hatchett & Hauck LLP, 10 West Market Street, Suite 1025, Indianapolis, Indiana 46204.

2. David L. Hatchett received his J.D. degree from Indiana University School of Law in Indianapolis, Indiana and was admitted to the Bar in the State of Indiana in 1996.

3. David L. Hatchett is a member in good standing of the Bar in the State of Indiana, and no disciplinary proceedings have ever been filed and none are pending against him.

4. The Verified Petition in Support of *Pro Hac Vice* Admission of David L. Hatchett is attached to this motion as Exhibit A.

WHEREFORE, the undersigned respectfully requests that the Court grant him leave to appear as counsel *pro hac vice* in this action on behalf of Mac's Convenience Stores LLC.

Respectfully submitted,

HATCHETT & HAUCK LLP

Dated: April 11, 2005



David L. Hatchett, IN Atty. #19383-49  
10 West Market Street, Suite 1025  
Indianapolis, IN 46204  
Telephone: (317) 464-2620  
Facsimile: (317) 464-2629  
[david.hatchett@h2lawyers.com](mailto:david.hatchett@h2lawyers.com)

**CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that on April 11, 2005, I served a true and accurate copy of the foregoing, by placing a true and correct copy in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Indianapolis, Indiana, with sufficient First Class Mail postage affixed thereto, upon the following named persons:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, Illinois 60601-3218

John J. Kim  
Assistant Counsel  
Special Assistant Attorney General  
Division of Legal Counsel  
1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276



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David L. Hatchett

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**RECEIVED**  
CLERK'S OFFICE

MAC'S CONVENIENCE STORES LLC,  
Petitioner,

PCB 05-124  
(UST APPEAL)

APR 13 2005

STATE OF ILLINOIS  
Pollution Control Board

vs.

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,  
Respondent.

**VERIFIED PETITION OF DAVID L. HATCHETT IN SUPPORT OF**  
**PRO HAC VICE ADMISSION**

1. Pursuant to 35 Ill. Adm. Code 101.400, David L. Hatchett, as attorney for Mac's Convenience Stores LLC, now petitions the Court for leave to appear in this action as counsel *pro hac vice*.

2. Mr. Hatchett is employed at the law firm of Hatchett & Hauck LLP, 10 W. Market Street, Suite 1025, Indianapolis, Indiana 46204, (317) 464-2620, facsimile (317) 464-2629.

3. Mr. Hatchett is a member in good standing and licensed to practice law in the State of Indiana since 1996; his Indiana attorney registration number is 19383-49.

4. Mr. Hatchett has never been suspended or disbarred and has never resigned from the practice of law as a result of a disciplinary discharge, investigation, or proceeding in any jurisdiction.

5. No disciplinary proceedings are presently pending against Mr. Hatchett in any jurisdiction.

6. Mr. Hatchett currently has one other matter pending before the Illinois Pollution Control Board; Mr. Hatchett currently represents Mac's Convenience Stores LLC in Cause No. PCB 05-101.

7. There is good cause why Mr. Hatchett should be admitted to appear in that there has been an attorney-client relationship with the client, Mac's Convenience Stores LLC, for an extended period of time.

WHEREFORE, Mr. Hatchett respectfully requests this Court to grant him leave to appear in this cause.

I affirm, under the penalties of perjury, that the foregoing representations are true.

Dated: April 11, 2005

Respectfully submitted,

HATCHETT & HAUCK LLP



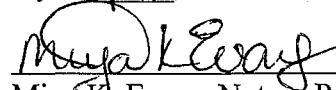
David L. Hatchett, IN Atty. #19383-49  
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STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF MARION     )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared David L. Hatchett, who acknowledged the execution of the foregoing instrument for and on behalf of said entity.

Witness my hand and Notarial Seal this 11<sup>th</sup> day of April, 2005.

My Commission Expires: June 23, 2009



Miya K. Evans, Notary Public  
Residing in Henry County, Indiana

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APR 13 2005

PCB 05-124  
(UST APPEAL)

STATE OF ILLINOIS  
Pollution Control Board

PCB 03-124 STATE OF ILLINOIS  
(UST APPEAL) Pollution Control Board

Respondent.

### ORDER FOR ADMISSION OF DAVID L. HATCHETT *PRO HAC VICE*

On consideration of the Verified Petition of David L. Hatchett in Support of *Pro Hac Vice* Admission, it is hereby ordered that the Motion for Leave to Appear *Pro Hac Vice* is granted. David L. Hatchett's appearance for Mac's Convenience Stores LLC shall be entered as a matter of record.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on \_\_\_\_\_, 2005, by a vote of \_\_\_\_.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

DISTRIBUTION:

David L. Hatchett  
Hatchett & Hauck LLP  
10 W. Market Street, Suite 1025  
Indianapolis, Indiana 46204

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Special Assistant Attorney General  
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