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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JAN 20 2005

GINA PATTERMANN

Complainant,

v.

BOUGHTON TRUCKING AND MATERIALS,
INC.

Respondent.

PCB 99-187

(Citizen Enforcement,
Noise & Air)STATE OF ILLINOIS
Pollution Control BoardNOTICE OF FILING

To: See Attached Certificate of Service

PLEASE TAKE NOTICE that on the 20th day of January, 2005, the undersigned caused to be filed with the Illinois Pollution Control Board the COMPLAINANT'S MOTION FOR VOLUNTARY DISMISSAL, a copy of which is herewith served upon you.

THE JEFF DIVER GROUP, L.L.C.



By: _____

Michael S. Blazer
THE JEFF DIVER GROUP, L.L.C.
1749 S. Naperville Road, Suite #102
Wheaton, IL 60187
(630) 681-2530

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BOUGHTON TRUCKING AND MATERIALS,
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(Citizen Enforcement,
Noise & Air)STATE OF ILLINOIS
Pollution Control BoardCOMPLAINANT'S MOTION FOR VOLUNTARY DISMISSAL

Now comes Complainant, Gina Pattermann ("Pattermann"), by her attorneys, and for her Motion pursuant to 35 IAC 101.500(a), 35 IAC 510 and 735 ILCS 5/2-1009 for Voluntary Dismissal of this matter, states:

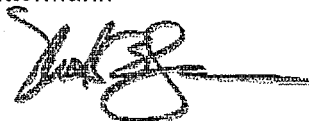
1. This matter is currently scheduled to proceed to hearing on January 31, 2005. Pursuant to 35 IAC 101.500(a), the Board may entertain any motion the parties wish to file that is permissible under the Illinois Code of Civil Procedure.

2. Pursuant to §2-1009 of the Illinois Code of Civil Procedure, the plaintiff may, at any time before trial or hearing begins, upon notice and payment of costs, dismiss his or her action without prejudice.

3. Pattermann shall pay such costs as are within the meaning of §2-1009 upon submission of a statement for the same from Respondent.

Wherefore, Pattermann requests that this matter be dismissed, without prejudice.

Respectfully submitted,
Gina Pattermann



By: _____

One of her attorneys

Michael S. Blazer
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STATE OF ILLINOIS
Pollution Control BoardCERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused the above and foregoing Notice of Filing and COMPLAINANT'S MOTION FOR VOLUNTARY DISMISSAL, to be served via facsimile transmission upon the following:

Bradley P. Halloran
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601
Fax No. (312) 814-3669

Patricia F. Sharkey
Kevin G. Desharnais
Mayer, Brown, Rowe & Maw
190 S. LaSalle Street
Chicago, IL 60603
Fax No. (312) 706-9113

on this 20th day of January, 2005.



Michael S. Blazer

FACSIMILE COVER PAGE

To : Bradley Halloran
Sent : 1/20/2005 at 2:05:36 PM
Subject : PCB 99-187 Pattermann v Boughton Trucking

From : Tracey Dillon
Pages : 4 (including Cover)

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Pollution Control Board