

ILLINOIS POLLUTION CONTROL BOARD  
August 10, 1989

VILLAGE OF KILDEER,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 88-173
	)	
VILLAGE OF LAKE ZURICH,	)	
LIBERTY LAKE PARTNERSHIP,	)	
ESR/ANDEN CORPORATION,	)	
LEXINGTON DEVELOPMENT CO.,	)	
LEXINGTON HOMES, INC.,	)	
	)	
Respondents.	)	

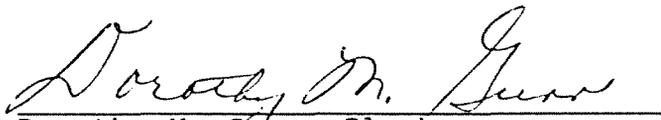
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a July 28, 1989 motion filed by respondent, Anden/ESR Corporation (ESR/Anden). That motion seeks to have ESR/Anden dismissed as a respondent and have Town and Country Homes substituted as a respondent. The motion is premised upon ESR/Anden's statement that it sold its interest in the property at issue in this case to Town and Country Homes on May 1, 1989.

The motion is denied. Neither the motion itself nor the proof of service gives any indication that Town and Country Homes was served with the motion, or otherwise knows of ESR/Anden's request. The Board will not grant a motion to substitute respondents without proof that Town and Country Homes has been informed of the motion. Additionally, the Board notes that it is unclear whether Liberty Lake Partnership also seeks to be dismissed. The text of the motion makes no reference to Liberty Lake, but Liberty Lake is listed above counsel's signature.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 10<sup>th</sup> day of August, 1989, by a vote of 7-0.

  
 \_\_\_\_\_  
 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board