

ILLINOIS POLLUTION CONTROL BOARD
November 29, 1990

DANIEL LORDEN and HELEN LORDEN,)
)
Complainants,)
)
v.) PCB 89-19
) (Enforcement)
)
SHERIDAN SOUTH CONDOMINIUM)
ASSOCIATION, JAMES A. HANSEN,)
CHARLES J. LEBRUN, ANDREA J.)
HROVATIN, JOAN LEE, IVAN and)
CATALINA HORAK and SANDRA L.)
SCHUG-HANSEN,)
)
Respondent.)

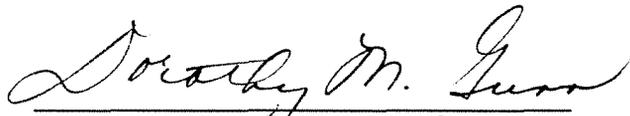
ORDER OF THE BOARD (by M. Nardulli):

This matter comes before the Board on a motion for reconsideration of the Board's September 27, 1990 order dismissing this matter with prejudice filed on October 13, 1990 by complainants Daniel and Helen Lorden. In support of their motion, complainants state "[t]hat at the hearing the [prior] attorney for complainants made an oral motion for nonsuit ... and then absented himself from the hearing without leave of the hearing officer", "[t]hat complainants did not have prior knowledge of the motion and did not understand the nature and effect of the motion", and "[t]hat the attorney was directed to file a written motion for voluntary dismissal of the case ... but .. failed without explanation to file the motion or respond to the motion." Further, complainants state that they have expended large sums of money to develop their case.

The conduct of complainants' prior attorney is not a basis for reconsideration of the Board's dismissal of this case. Complainants' motion for reconsideration is hereby denied.

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 29th day of November, 1990 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board