
**IN THE APPELLATE COURT OF ILLINOIS
THIRD JUDICIAL DISTRICT**

AQUA ILLINOIS, INC.,)	
)	
<i>Petitioner-Appellant,</i>)	Petition for Review of a Final Order of
)	the Illinois Pollution Control Board
v.)	dated December 15, 2022 in its Docket
)	No. 23-12 (Permit Appeal – Water)
ILLINOIS POLLUTION CONTROL)	
BOARD, ILLINOIS)	Petition for Review dated January 20,
ENVIRONMENTAL PROTECTION)	2023
AGENCY,)	
)	Supreme Court Rule which contains
<i>Respondents-Appellees.</i>)	jurisdiction upon the reviewing court:
)	Rule 335
)	
)	

NOTICE OF FILING

To: Illinois Pollution Control Board Attention: Clerk James R. Thompson Center, Suite 11-500 100 West Randolph Chicago, Illinois 60601 PCB.Clerks@illinois.gov Don.brown@illinois.gov	Kwame Raoul Jonathan J. Sheffield Office of the Attorney General, State of Illinois 100 West Randolph Street, 12th Floor Chicago, Illinois 60601 CivilAppeals@ilag.gov Jonathan.Sheffield@ilag.gov
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PLEASE TAKE NOTICE that on June 29, 2023, Petitioner-Appellant, Aqua Illinois, Inc., caused to be filed with the Appellate Court of Illinois, Third District, Petitioner’s Substituted Unopposed Motion to Voluntarily Dismiss Petition for Review.

Respectfully submitted,

Dated: June 29, 2023

By: /s/ Daniel J. Deeb

Daniel J. Deeb (ARDC No. 6284624)
Alex Garel-Frantzen (ARDC No. 6320649)
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233 South Wacker Drive, Suite
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Attorneys for Aqua Illinois, Inc.

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**PETITIONER’S SUBSTITUTED UNOPPOSED MOTION TO
VOLUNTARILY DISMISS PETITION FOR REVIEW**

Pursuant to Illinois Supreme Court Rule 361, Petitioner-Appellant Aqua Illinois, Inc. (“Aqua”), by its attorneys, ArentFox Schiff LLP, moves to voluntarily dismiss its Petition for Review with prejudice.

In support of this Motion, Aqua states as follows:

1. On January 20, 2023, Aqua filed its Petition for Review of a Final Order of the Illinois Pollution Control Board in its Docket No. 23-12.

2. Aqua now desires to dismiss its Petition for Review with prejudice. On June 14, 2023, the Illinois Environmental Protection Agency issued a Special Exception Permit to Aqua, granting Aqua’s request for reduced lead and copper monitoring and effectively mooting the relief sought by Aqua through this Petition for Review.

E-FILED
Transaction ID: 3-23-0023
File Date: 6/29/2023 11:52 AM
Zachary A. Hooper, Clerk of the Court
APPELLATE COURT 3RD DISTRICT

3. Pursuant to Illinois Supreme Court Rule 361(a) and Rule 102(a) of the Appellate Court of Illinois, Third District, Aqua's counsel conferred with counsel for the Board and IEPA, Mr. Jonathan Sheffield, who informed Aqua's counsel that this Motion is unopposed.

4. A proposed order is attached as Exhibit A.

WHEREFORE, Petitioner-Appellant Aqua Illinois, Inc. requests that this Court enter an Order dismissing the Petition for Review with prejudice and granting such other and further relief as may be just and proper.

Respectfully submitted,

Dated: June 29, 2023

By: /s/ Daniel J. Deeb
One of its attorneys

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Attorneys for Aqua Illinois, Inc.

CERTIFICATE OF FILING AND SERVICE

The undersigned, an attorney, certifies that on June 29, 2023, the foregoing Notice of Filing and Petitioner's Substituted Unopposed Motion to Voluntarily Dismiss Petition for Review were filed with the Clerk of the Court for the Illinois Appellate Court, Third Judicial District, by using the File and Serve Illinois system.

The undersigned also certifies that on June 29, 2023, true and correct copies of the Notice of Filing, Petitioner's Substituted Unopposed Motion to Voluntarily Dismiss Petition for Review, and this Certificate of Service were served by email on Respondents at the e-mail addresses listed below.

Illinois Pollution Control Board	Kwame Raoul
Attention: Clerk	Jonathan J. Sheffield
James R. Thompson Center, Suite 11-500	Office of the Attorney General, State of Illinois
100 West Randolph	100 West Randolph Street, 12th Floor
Chicago, Illinois 60601	Chicago, Illinois 60601
PCB.Clerks@illinois.gov	CivilAppeals@ilag.gov
Don.brown@illinois.gov	Jonathan.Sheffield@ilag.gov

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/ Daniel J. Deeb

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Attorneys for Aqua Illinois, Inc.

EXHIBIT A

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ORDER

This matter coming to be heard on Petitioner-Appellant Aqua Illinois, Inc.’s (“Aqua”) Substituted Unopposed Motion to Voluntarily Dismiss Petition for Review, due notice having been given and the Court fully advised in the premises:

IT IS HEREBY ORDERED that:

1. Aqua’s Substituted Unopposed Motion to Voluntarily Dismiss Petition for Review is granted;
2. Aqua’s Petition for Review is hereby voluntarily dismissed with prejudice.

ENTERED

Justice Date

Justice Date

Justice Date

Prepared by:
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