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STATE OF ILLINOIS
Pollution Control Board

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March 4, 2004

Illinois Environmental Protection Agency
Fiscal Services Division
1021 North Grand Avenue East
P.O. Box. 19276
Springfield, IL 62794-9276

Via Federal Express

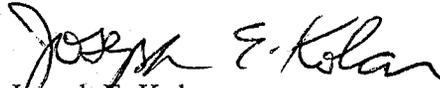
Re: *Karen & Anthony Roti, et al., v. LTD Commodities, Inc.*
Illinois Pollution Control Board case: PCB 99-19

To Whom It May Concern:

Pursuant to the Illinois Pollution Control Board's February 5, 2004, decision in the above case, enclosed is LTD Commodities' cashier check for \$15,000.00 payable to the Treasure of the State of Illinois. Please be advised that LTD has filed with the Illinois Appellate Court, Second District, a Supreme Court Rule 335 petition for review. Pursuant to that petition, LTD seeks to reverse the findings of the PCB that it is a noise nuisance and imposing the \$15,000.00 fine. I have enclosed a file-stamped copy of that petition. Thus, please be advised that LTD is paying the \$15,000.00 fine under protest and will expect a refund of the fine if LTD prevails on its appeal of the PCB decisions. Unless we hear from you by letter to the contrary, we will assume that you are accepting this check in accordance with the repayment condition set forth in this letter. Thank you for your attention to this matter.

Very truly yours,

BAIZER & KOLAR, P.C.


Joseph E. Kolar

JEK/bh

enclosure (check)

cc: Michael Hara

Ms. Dorothy Gunn, Illinois Pollution Control Board (w/o enclosures) ✓