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BEFORE THE POLLUTION CONTROL BOAR	RDCLERK'S OFFICE
OF THE STATE OF THINDS	

EAST SIDE SHELL.

STATE OF ILLINOIS Pollution Control Board

Petitioner,

vs.

PCB No. 03-50 (UST Appeal)

John I. Kim

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

NOTICE

Dorothy M. Gunn, Clerk Illinois Pollution Control Board State of Illinois Center 100 West Randolph Street Suite 11-500 Chicago, IL 60601

Assistant Counsel Special Assistant Attorney General Division of Legal Counsel 1021 North Grand Avenue, East P.O. Box 19276 Springfield, IL 62794-9276

Carol Sudman **Hearing Officer** Illinois Pollution Control Board 600 S. Second Street, Suite 402 Springfield, IL 62704

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board a Motion for Voluntary Dismissal, a copy of which is herewith served upon you.

> BvCurtis W. Martin, Attorney for East Side Shell, Petitioner

Curtis W. Martin IL ARDC No. 06201592 SHAW & MARTIN, P.C. Attorneys at Law 123 S. 10th Street, Suite 302 P.O. Box 1789 Mt. Vernon, Illinois 62864 Telephone (618) 244-1788

DEFORE THE POLICIFICATION CONTROLS BOARD RECEIVED

OF THE STATE OF POLICIFICATION OF THE STATE OF ILLINOIS

Petitioner,

VS.

PCB No. 03-50

(UST Appeal)

ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY,

Respondent.

Respondent.

MOTION FOR VOLUNTARY DISMISSAL

NOW COMES the Petitioner, East Side Shell ("East Side"), by one of its attorneys, Curtis W. Martin of Shaw & Martin, P.C., and moves to voluntarily dismiss its Petition for Review of Final Agency Leaking Underground Storage Tank Decisions, and in support thereof, states that the matters for which the Petition was filed have been fully compromised and settled.

WHEREFORE, Petitioner, East Side Shell, prays that the Petition for Review of Final Agency Leaking Underground Storage Tank Decision be dismissed with prejudice.

SHAW & MARTIN, P.C.

By

Curtis W. Martin, Attorney for East Side Shell, Petitioner

Curtis W. Martin IL ARDC No. 06201592 SHAW & MARTIN, P.C. Attorneys at Law 123 S. 10th Street, Suite 302 P.O. Box 1789 Mt. Vernon, Illinois 62864 Telephone (618) 244-1788

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on August 2, 2003, I served true and correct copies of a Motion for Voluntary Dismissal, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Mt. Vernon, Illinois, with sufficient postage affixed thereto, upon the following named persons:

Dorothy M. Gunn, Clerk Illinois Pollution Control Board State of Illinois Center 100 West Randolph Street Suite 11-500 Chicago, IL 60601 John I. Kim Assistant Counsel Special Assistant Attorney General Division of Legal Counsel 1021 North Grand Avenue, East P.O. Box 19276 Springfield, IL 62794-9276

Carol Sudman Hearing Officer Illinois Pollution Control Board 600 S. Second Street, Suite 402 Springfield, IL 62704

> Curtis W. Martin, Attorney for Petitioner, East Side Shell