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APR 26 2004

STATE OF ILLINOIS
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 22, 2004

The Honorable Dorothy Gunn
Illinois Pollution Control Board
James R. Thompson Center, Ste. 11-500
100 West Randolph
Chicago, Illinois 60601

Re: ***People v. Medical Waste Management, Inc., a Missouri corporation***
PCB No. 04-165

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a NOTICE OF FILING and MOTION FOR VOLUNTARY DISMISSAL in regard to the above-captioned matter. Please file the originals and return file-stamped copies of the documents to our office in the enclosed self-addressed, stamped envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Sally A. Carter".

Sally A. Carter
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 782-9031

SAC/pp
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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APR 26 2004

PEOPLE OF THE STATE OF)
ILLINOIS,)
)
 Complainant,)
)
 vs.)
)
 MEDICAL WASTE MANAGEMENT, INC.,)
 a Missouri corporation,)
)
 Respondent.)

STATE OF ILLINOIS
Pollution Control Board

PCB No. 04-165

NOTICE OF FILING

To: Wally El-Beck
394 Summitt
Blytheville, AR 72315

Wally El-Beck
136 East Hazel Dell Lane
Springfield, IL 62707

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, a MOTION FOR VOLUNTARY DISMISSAL, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: Sally A. Carter
SALLY A. CARTER
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: April 22, 2004

CERTIFICATE OF SERVICE

I hereby certify that I did on April 22, 2004, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and MOTION FOR VOLUNTARY DISMISSAL

To: Wally El-Beck
394 Summitt
Blytheville, AR 72315

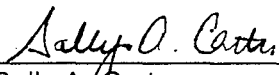
Wally El-Beck
136 East Hazel Dell Lane
Springfield, IL 62707

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

A copy was also sent to:

Carol Sudman
Hearing Officer
Illinois Pollution Control Board
1021 N. Grand Avenue East
Springfield, IL 62794



Sally A. Carter
Assistant Attorney General

This filing is submitted on recycled paper.

APR 26 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
-vs-) PCB No. 04-165
)
MEDICAL WASTE MANAGEMENT, INC., a)
Missouri Corporation,)
)
Respondent.)

MOTION FOR VOLUNTARY DISMISSAL

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by its attorney, LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to Section 2-1009 of the Illinois Code of Civil Procedure, 735 ILCS 5/2-1009 (2002), and 35 Ill. Admin. Code 101.500, moves this Board to voluntary dismiss this action without prejudice. In support of this Motion for Voluntary Dismissal, the Complainant states as follows:

1. A Complaint was filed March 22, 2004.
2. On March 25, 2004, Medical Waste Management, Inc. filed a Chapter 7 Bankruptcy case in the United States Bankruptcy Court, Eastern District of Arkansas. The Complainant received notice of the bankruptcy filing on April 19, 2004. The Automatic Stay prohibits the continuation of an action seeking the imposition of any monetary judgment against the debtor, the Complainant respectfully requests that this Board grant this Motion for Voluntary Dismissal.

WHEREFORE, Complainant respectfully prays that this Board grant the Motion for Voluntary Dismissal.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 

THOMAS DAVIS, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel
SALLY A. CARTER
500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: 4/22/04