

ILLINOIS POLLUTION CONTROL BOARD

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MAY 05 2005

STATE OF ILLINOIS  
Pollution Control Board

TERESA L. SHEPRO, as Trustee of the )  
 Justice W Shepro Trust, )  
 and TERESA L. SHEPRO and )  
 FRANK WIEMERSLAGE, as )  
 beneficiaries under Trust No. 898, of the )  
 Chicago Trust Company, )  
 Complainant, )  
 )  
 v. )  
 )  
 NEWBY OIL COMPANY, DAVID E. )  
 TRIPP and JANICE L. TRIPP, )  
 Respondents. )

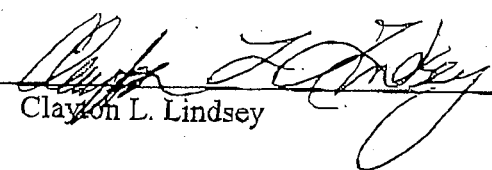
Case No. PCB 04-12

MOTION TO CANCEL HEARING

NOW COMES the Complainants, Teresa L. Shepro, as Trustee of the Justice W. Shepro Trust, and Teresa L. Shepro, and Frank Wiemerslage, as beneficiaries under Trust No. 898, of the Chicago Trust Company, and move the Illinois Pollution Control Board to cancel the hearing scheduled in this cause for May 10, 2005 for the reason that the parties have reached a settlement of this cause. The Complainants further request this Court to schedule a telephonic hearing for June 23, 2005 at 2:00 p.m. for purposes of confirming the settlement, although the Complainants would intend to file a Motion for Voluntary Dismissal before that date.

TERESA L. SHEPRO, as Trustee of the Justice  
 W. Shepro Trust, and TERESA L. SHEPRO and  
 FRANK WIEMERSLAGE, as beneficiaries under  
 Trust No. 898, of the Chicago  
 Trust Company, Complainants

By WILLIAMS & McCARTHY

By:   
 Clayton L. Lindsey

Clayton L. Lindsey  
WILLIAMS & McCARTHY  
607 Washington Street  
P.O. Box 319  
Oregon, IL 61061  
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**STATE OF ILLINOIS**  
**Pollution Control Board**

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF OGLE )

The undersigned, being first duly sworn on oath, deposes and says that she/he served the within document upon the within named

Attorney William C. Murphy  
KINNALLY, KRENTZ, LORAN, HODGE & HERMAN, P.C.  
2114 Deerpath Road  
P.O. Box 5030  
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Attorney Marcy Buick  
CLIFFE FOSTER CORNELLE BUICK & BUICK LLC  
331 West State Street  
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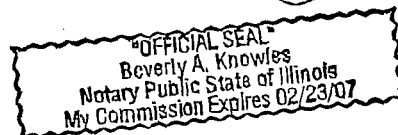
Braley Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, IL 60601  
Fax 312/814-3669

by faxing a copy of said document to the above listed attorneys.

*Clayton L. Lindsey*

Subscribed and sworn to before me  
on May 5, 2005.

*Beverly A. Knowles*  
Notary Public



# FAX TRANSMISSION

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**MAY 05 2005**

**WILLIAMS & McCARTHY**

607 Washington Street  
Oregon, Illinois 61061  
815/732-2101  
Fax: 815/732-2289

**STATE OF ILLINOIS**  
**Pollution Control Board**

**To:** Bradley P. Halloran                      **Date:** May 5, 2005  
**Fax #:** 312/814-3669                              **Pages:** 3 , including this cover sheet.  
**From:** Clayton L. Lindsey  
**Subject:** Shepro v. Newby Oil, Case No. PCB04-12

**COMMENTS:**

Motion to Cancel Hearing to follow.

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