

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
PEOPLE OF THE STATE OF ILLINOIS**

STATE OF ILLINOIS)	
Complainant,)	
)	PCB No. 07-95
v)	
)	
)	(Enforcement)
AET ENVIRONMENTAL, INC. AND)	
E.O.R. ENERGY, LLC,)	
Respondents.)	
)	

NOTICE OF MOTION AND ELECTRONIC FILING

ALL PARTIES PLEASE TAKE NOTICE that on May 24, 2013, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois a copy of this **Notice and Certificate of Filing and Service and MOTION FOR STAY OF FINAL ORDER**, a copy of which is attached hereto and herewith served upon you.

CERTIFICATE OF FILING AND SERVICE

I hereby certify that I did on May 24, 2013, e-file with the Clerk, and on May 25, 2013, did send by First Class U.S. Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box, a true and correct copy of this document and the following instrument entitled **MOTION FOR STAY**, on behalf of both **AET Environmental, Inc. and E.O.R. Energy, LLC**, to the following persons by the method and at the address indicated:

SERVICE LIST

E-Filed with:

Dorothy Gunn, Clerk
c/o John Therriault, Asst. Clerk
Illinois Pollution Control Board
1021 N. Grand Avenue East
Springfield, IL. 62794

Served By U.S. Mail On:

State of Illinois - IEPA c/o Mr. Michael Mankowski, Esq. Assistant Attorney General 500 South Second Street Springfield, Illinois 62706	Hearing Officer Carol Webb IPCB 1021 N. Grand Avenue East Springfield, IL 62794	
---	--	--

Respectfully submitted,

s/: *Felipe Gomez, Esq.*

Felipe Gomez, Esq.

LAW OFFICE OF FELIPE GOMEZ, ESQ.
116 S. Western Ave. - # 12319
Chicago, IL 60612-2319
312-399-3966
gomzfn1@netscape.net

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
PEOPLE OF THE STATE OF ILLINOIS

STATE OF ILLINOIS)	
Complainant,)	
)	
v.)	PCB No. 07-95
)	(Enforcement)
AET ENVIRONMENTAL, INC. AND)	
E.O.R. ENERGY, LLC,)	
Respondents.)	

RESPONDENTS' JOINT MOTION FOR STAY OF FINAL ORDER

NOW COMES CO-RESPONDENTS E.O.R. ENERGY, LLC and AET

ENVIRONMENTAL, INC., by and through undersigned counsel of record, (hereinafter "Parties"), and pursuant to 415 ILCS 5/41, 35 IAC 101.906(c), SCR 335, and 35 IAC 100.500(a), SCR respectfully files this Motion for Stay ("Motion") with the Illinois Pollution Control Board ("IPCB"), and requests that the Board stay its April 18, 2013, Final Order pending appeal, and states in support:

1. 35 IAC 101.906(c) states that the procedure for obtaining a stay of any final Board order during appeal is as provided in Rule 335 of the Rules of the Supreme Court of Illinois (SCR 335). SCR 335(g) provides that application for a stay pending direct review in the Appellate Court is to be made in the first instance to the agency.
2. 35 IAC 100.500(a) provides that the Board may entertain any motion the parties wish to file that is permissible under the Act or other applicable law, these rules, or the Illinois Code of Civil Procedure.
3. On May 24, 2013, Petitioners mailed for filing, by Certified Priority mail, separate Petitions for Direct Review of the April 18, 2013, January 24, 2013, January 10, 2013, and September 6, 2012, orders of the Board, to the Illinois Fourth Circuit Court of Appeals. *Attachment A - Copies of Petitions/Certificates of Filing and Service, and Proof of Mailing.*
4. Per SCR 373, if the Petitions are received by the Clerk by the expected date of Tuesday, May 28, 2013, that will be the date of filing of the appeal, however, if received after that date, the date of mailing (May 24, 2013), will be the date of filing, thus, in either case, the appeals have been perfected in the 4th Circuit under the applicable rules.

RELIEF REQUESTED

WHEREFORE, pursuant to the foregoing provisions and based upon the filing of appeals, AET and EOR jointly request that the Board stay its April 18, 2013, final order and prohibit enforcement thereof as to both AET and EOR, pending appeal.

Respectfully submitted on May 24, 2013, By:	LAW OFFICE OF FELIPE GOMEZ, ESQ. 116 S. Western Ave. - # 12319 Chicago, IL 60612-2319 312-399-3966 gomzfng1@netscape.net
s/: <i>Felipe Gomez, Esq.</i>	
Felipe Gomez, Esq.	

ATTACHMENT A

WICKER PARK
 1300 N ASHLAND AVE FRNT E
 CHICAGO, IL 60622-2268

05/24/2013 02:58:23 PM

Sales Receipt

Product Description	Sale Qty	Unit Price	Final Price
---------------------	----------	------------	-------------

SPRINGFIELD, IL 62794 Zone-3 Priority Mail® Window FR Env			\$5.60
* Expected delivery Tuesday, May 28. Certified Mail™			\$3.10
%% Label #: 9502 6000 0480 3144 0002 33			

Issue Postage: \$8.70

SPRINGFIELD, IL 62794 Zone-3 Priority Mail® Window FR Env			\$5.60
* Expected delivery Tuesday, May 28. Certified Mail™			\$3.10
%% Label #: 9502 6000 0480 3144 0002 40			

Issue Postage: \$8.70

Total: \$17.40

Paid by:
 VISA \$17.40
 Account #: XXXXXXXXXXXX4399
 Approval #: 035915
 Transaction #: 721
 23-901950196-99

APC Transaction #: 49
 USPS® #: 161595-9559

%% To check on the delivery status of this article, visit our Track & Confirm website at USPS.com, use this Automated Postal Center™ (or any Automated Postal Center™ at other Postal locations) or call 1-800-222-1811.

Thanks.

It's a pleasure to serve you.

ALL SALES FINAL ON STAMPS AND POSTAGE.
 REFUNDS FOR GUARANTEED SERVICES ONLY.