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ENVIR. APPEALS BOARD

January 5, 2009

*Via Federal Express*

Sonja Brooks-Woodard  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
77 West Jackson Boulevard, E-13J  
Chicago, Illinois 60604-3590

RE: In the Matter of:  
General Motors Automotive-North American  
Docket No. RCRA-05-2004-001

Dear Ms. Brooks-Woodard:

Enclosed please find the original and one copy of the Motion to Withdraw in the above-referenced case. Please return a file-stamped copy of the Motion to me in the enclosed, self-addressed, prepaid envelope.

If you have any questions concerning the enclosed, please do not hesitate to contact me.

Sincerely,  
Original Signed by  
Michael T. Scanlon

Michael T. Scanlon

MTS:vlw  
Enclosures

cc: All parties of record

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BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.

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ENVIR. APPEALS BOARD

IN RE: )  
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General Motors Automotive-North America ) Docket No. RCRA-05-2004-0001  
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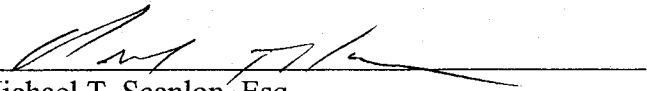
**MOTION TO WITHDRAW**

Come now the former attorneys for Respondent in the above-captioned matter, John M. Kyle III, Esq., and Michael T. Scanlon, Esq., of the law firm BARNES & THORNBURG LLP, and respectfully request to withdraw their Appearances on behalf of General Motors Corporation ("GM") in the above-captioned matter.

Prior to submitting this Motion to Withdraw, Mr. Kyle and Mr. Scanlon have worked with GM's in-house counsel, James P. Walle, Esq., to ensure a smooth transition in this matter. In addition, Mr. Walle is intimately familiar with this matter and has participated in at least two conference calls with the Honorable Barbara A. Gunning and counsel for the United States Environmental Protection Agency concerning the remand of this matter by the Environmental Appeals Board [captioned RCRA (3008) Appeal No. 06-02 before the Environmental Appeal Board]. GM is aware of and consents to the filing of this Motion.

Therefore, Mr. Kyle and Mr. Scanlon of the law firm BARNES & THORNBURG LLP respectfully request that the Environmental Appeals Board enter an Order granting this Motion to Withdraw.

Respectfully submitted,

  
Michael T. Scanlon, Esq.  
Barnes & Thornburg LLP  
11 South Meridian Street  
Indianapolis, Indiana 46204

Former Counsel for General Motors Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on 5<sup>th</sup> day of January, 2009, service of a true and complete copy of the Motion to Withdraw for John M. Kyle III, Esq. and Michael T. Scanlon, Esq. of the law firm BARNES & THORNBURG LLP was made upon each party or attorney of record herein by first class mail, postage prepaid, addressed to:

James P. Walle, Esq.  
General Motors Legal Staff  
Mail Code 482-C24-D24  
300 Renaissance Center  
Detroit, Michigan 48243

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Office of General Counsel  
U.S. EPA  
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Ariel Rios Building, Room No. 7313H  
Washington, DC 20460

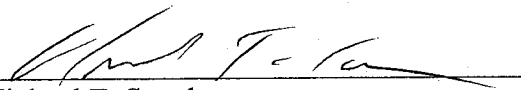
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Richard Clarizio, Esq.  
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Chicago, Illinois 60604-3590

Honorable Barbara A. Gunning  
Administrative Law Judge  
U.S. EPA, Office of Administrative  
Law Judge  
Franklin Court, Suite 350  
1099 14<sup>th</sup> Street NW

Sonja Brooks-Woodard  
Regional Hearing Clerk  
U.S. EPA, Region V  
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U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals  
Board (MC 1103B)  
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Washington, DC 20460-0001

  
Michael T. Scanlon