

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

MARION COUNTY SUPERIOR COURT

Tanners Creek Development LLC,)
Petitioner,)
)
v.)
)
Hoosier Environmental Council, and)
Indiana Department of Environmental Management,)
Respondents.)
)

CAUSE NO. 49D13-2303-PL-009079

TRIAL RULE 41(A)(1)(a) NOTICE OF VOLUNTARY DISMISSAL

Petitioner, Tanners Creek Development LLC, by counsel and pursuant to Indiana Trial Rule 41(A)(1)(a), voluntarily dismisses its appeal involving Respondents, Hoosier Environmental Council and the Indiana Department of Environmental Management (“IDEM”). At the time this notice was filed, no answer¹ and no motion for summary judgment had been served on Petitioner by an adverse party. Petitioner is entitled to voluntarily dismiss this action as of right.

Respectfully submitted,

/s/ E. Sean Griggs

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¹ On March 21, 2023, the IDEM filed a response to the verified petition. This response acknowledged that the verified petition is not a “complaint ... to which an answer is required.” IDEM Response at ¶2.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this “Trial Rule 41(A)(1)(a) Notice of Voluntary Dismissal” has been served this 3rd day of May, 2023, using the court’s electronic distribution system to all counsel of record.

/s/ E. Sean Griggs _____
E. Sean Griggs