

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PAUL CHRISTIAN PRATAPAS,)	
)	
Complainant,)	
)	PCB No: <u>23-71</u>
v.)	(Citizens Enforcement – Water)
)	
)	
VILLAGE OF WOODRIDGE,)	
)	
Respondents)	
_____)	

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on October 20, 2023, the VILLAGE OF WOODRIDGE electronically filed with the Office of the Clerk of the Illinois Pollution Control Board **Respondent’s First Set of Interrogatories**, copy of which is hereby served upon you.

/s/ Phillip A. Luetkehans
One of the Attorneys for the Village of Woodridge

Luetkehans, Brady, Garner & Armstrong, LLC
Phillip A. Luetkehans
pal@lbgalaw.com
105 East Irving Park Road
Itasca, IL 60143
(630) 773-8500
ARDC No. 06198315

CERTIFICATE OF SERVICE

I, Phillip A. Luetkehans, an attorney, certify that I have served the attached **Respondent's First Set of Interrogatories** upon the following all parties of record, as shown below:

Paul Christian Pratapas
paulpratapas@gmail.com
1779 Kirby Parkway, Ste 1, #92
Memphis, Tennessee 38138

Illinois Pollution Control Board
Don Brown - Clerk of the Board
don.brown@illinois.gov
100 W. Randolph St. Suite 11-500
Chicago, Illinois 60601
(312)-814-3620

Robbins DiMonte Ltd
Eric G. Patt
epatt@robbsindimonte.com
180 N. LaSalle St., Suite 3300
Chicago, Illinois 60601
(312)-782-9000

by causing a copy of same to be sent via email transmission to the email addresses reflected above, on the 20th day of October, 2023.

/s/ Phillip A. Luetkehans

One of the Attorneys for the Village of Woodridge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PAUL CHRISTIAN PRATAPAS,)	
)	
Complainant,)	
)	PCB No: <u>2023-071</u>
v.)	(Citizens Enforcement – Water)
)	
)	
VILLAGE OF WOODRIDGE,)	
)	
Respondent.)	
_____)	

**RESPONDENT’S FIRST SET OF INTERROGATORIES
TO COMPLAINANT**

NOW COMES Respondent, VILLAGE OF WOODRIDGE, by and through its attorneys, LUETKEHANS, BRADY, GARNER & ARMSTRONG, LLC, and, pursuant to Illinois Supreme Court Rule 213, propounds the following interrogatories upon Complainant, PAUL CHRISTIAN PRATAPAS, to be answered in writing and under oath within twenty-eight (28) days of receipt hereof.

INSTRUCTIONS AND DEFINITIONS

Demand to Supplement: In accordance with Supreme Court Rule 213(i), the party answering these Interrogatories is hereby requested to seasonably supplement all answers to these Interrogatories as additional information becomes known to the party or the party’s attorneys.

1. **COMPLAINANT:** The term “Complainant” shall mean the named Complainant, Paul Christian Pratapas.

2. **RESPONDENT:** The term “Respondent” shall mean the named Respondent, the Village of Woodridge.

3. The terms “you” and “your” shall mean Complainant, Paul Christian Pratapas, or belonging to Complainant.

4. **PERSON(S)**: The term “Person” or “Persons” shall mean and includes any individual, firm, entity, partnership, corporation, joint venture, unincorporated association, national banking association, governmental agency or department, trust, sole proprietorship, and any and all partners, officers, directors, employees, agents, trustees, attorneys and other representatives thereof.

5. **AND/OR**: The term “and/or” shall be construed both disjunctively and conjunctively so as to require the broadest possible response to any given interrogatory.

6. **REFER/RELATE**: The term “refer” or “relate” shall mean, in addition to the customary and usual meanings, discuss or discussing, refer or referring, reflect or reflecting, assess or assessing, record or recording, embody or embodying, constituting evidence of, or having any relationship to, whether in whole or in part.

7. **IDENTIFY**: “Identify,” “identifying” or “identification” when used in reference to a natural person means to state his or her full name, age and present or last known address, his or her present or last known telephone number, his or her present or last known position or business affiliation, and each of his or her positions during the relevant period; when used in reference to a business entity, means to state the name, address and any account or computer number to which such entity is referred to in your records; when used in reference to a lawsuit, means to state the name of the suit, the place of the suit, the caption of the suit, the date on which the suit was filed, and the counsel of record for the party and/or parties on whose behalf the suit was filed; when used in reference to a document, means to state the type of document (i.e., letter, memorandum, chart, sound production, report, computer input or output, etc.), the location where it is maintained, all identifying marks and codes, the name of the addressee, the document date, author and persons to whom copies

were sent or persons initiating or reading or approving the document and the name of each of the present custodians of the documents. If any such document was, but is no longer in your possession, or subject to your control, or in existence, state whether it is (1) missing or lost, (2) has been destroyed, (3) has been transferred, voluntarily or involuntarily, to others, or (4) otherwise disposed of, and in each instance, explain the circumstances surrounding an authorization for such disposition thereof and state the date or approximate date thereof.

8. **DESCRIBE:** The term “describe” when used in reference to a statement, conversation or discussion, means to state the date the statement, conversation or discussion took place, the participants (maker, recipient and witnesses), to state whether the statement, conversation or discussion was memorialized and, if so, the present location and custodian of the memorialization, and, if no privilege is claimed, a brief description of the substance of the statement, conversation or discussion.

9. **DOCUMENTS:** The term “documents” shall mean all writings, records, written, printed, typed or graphic matter, and all tangible things, of every type, kind and description, however produced, copies or reproduced, whether draft or final, original or reproduction, signed or unsigned, regardless of whether approved, sent, received, redrafted, executed, erased or otherwise defaced or mutilated, from whomever and wherever obtained, including, without limiting the generality of the foregoing, all of the following: abstracts, accruals, acknowledgments, affidavits, agreements, analyses, annual reports, appointment books, appointment records, appraisals, articles of incorporation and amendments thereto, audio recording whether transcribed or not, audit programs, audit instructions and other audit materials, audit reports, balance sheets, bids, billings, bills, bills of lading, binders, blanks, books, books of account, brochures, budgets, by-laws, cablegrams, calendars, cash flow projections, certificates, certificates of deposit, charters, charts, checks and

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checking account records, circulars, commitment printouts, computer programs, computer readouts, computer tapes, confessions, confirmations, and responses to confirmations, contract, correspondence, court pleadings, covenants, credit analyses, reports and memoranda, data compilations for which information can be obtained or translated through detection devices, data processing cards, disks and tapes or readable computer-generated interpretations thereof, date records, delivery records, desk calendars, diaries, drafts, draw or funding requests, drawings, entries, estimates, expense reports, filed notes, files, filings of record, films, financial analyses, financial statements, forms and form documents, graphs, handbooks, income statements, indices, instruments, intra-office and interoffice communications, inventory tags and records, invoices, itemizations, joint venture agreements, journals, leases, ledgers, letters, licenses, liens, logs, mail receipts (registered or certified), management reports, manuals, maps, market studies, meeting reports, memoranda, memoranda of all conversations including telephone calls, mortgages, motion pictures, minutes, newspaper, magazine or trade journal articles of advertisements, notations, notes, offers, operating statements, opinions, order forms, orders, pamphlets, payroll records, permits, personal statements or interviews or summaries thereof, personal files, photocopies, photographs, pictures, plans, plats, press releases, pro formas, projections, proposals, prospectuses, publications, purchase orders, releases, receipts, recordings, records, records of account, regulations, rent rolls, reports, reproductions, requisitions, research, resolutions, reversals, security instruments, sketches, slides, specifications, statements, statistical data or records, stenographic or handwritten notes or transcripts of such notes, stock certificates or records, studies, submissions, summaries, surveys, system analyses, tabulations, tag control documents, tapes or tape recordings, tax returns and records, telecopies, telegrams, telephone records and invoices, telexes, texts, time records, time reports, policies and commitments, training manuals, transcripts, travel records, receipts and vouchers,

treasury bills, valuations, video records, video tapes, warehouse receipts, wire records or transfers, writings or workpaper, as well as any other matter or media similar to any of the foregoing, however denominated, along with all non-identical (or, by reason of subsequent annotation, no longer identical) copies, drafts or versions thereof and all copies thereof containing any commentary, notations or markings.

10. **PRIVILEGE/WORK PRODUCT:** If you withhold any document which is responsive to any of the following interrogatories under a claim of privilege or work product, for each such document, identify the following:

- (a) its date;
- (b) the document type;
- (c) the general subject matter of the document;
- (d) the name of its author(s);
- (e) the names of the intended recipients;
- (f) the names of all other persons who have seen the document; and
- (g) the legal basis for the claim of privilege or work product.

INTERROGATORIES

1. Identify all Persons who provided the information used and provided in answering these Interrogatories. For each Person identified, state the specific Interrogatories that each Person assisted in answering and describe the nature of their assistance.

ANSWER:

2. Identify any Person who can support the claims you allege by the Person's name, address, phone number, and email address.

ANSWER:

3. Identify whether Complainant has had any conversations with another Person or party regarding the allegations in the Complaint.

ANSWER:

4. Identify and describe the specific acts Complainant believes the Village of Woodridge has committed that violate Illinois Law.

ANSWER:

5. Identify and describe in detail any facts that support your position that the Village of Woodridge discharged excessive pollutants, including:

- a. Discharge of toxic concrete/mortar washout.
- b. Discharge of sediments.
- c. Any other pollutants you allege are released in excess.

ANSWER:

6. Identify and describe in detail any facts that support Complainant's position that Respondent has violated its permit, including:

- a. Any and all documents that support your claim.

ANSWER:

7. Identify and describe any facts that support Complainant's position that there were fraudulent SWPPP Inspection reports and contractor certifications, including:

- a. Any and all documents that support your claim.

ANSWER:

8. Identify and describe any facts that support your position that the site does not have a stabilized construction entrance.

ANSWER:

9. Identify and describe any facts that support your position that Respondent has violated:

- a. NPDES Permit ILR10, including each "Part" of ILR10 as attached to your proposed Amendment to your Complaint; and
- b. 2017 NPDES General Permit for Discharges From Construction Activities, as attached to your proposed Amendment to your Complaint.

ANSWER:

10. Identify and describe the exact location of each photograph attached to the Complaint.

ANSWER:

11. Identify and describe in detail how Complainant was intimidated by the Woodridge Police Department including:

- a. The date and time of the alleged occurrence(s);
- b. The name or badge number of the police officer(s) who intimidated the Complainant; and
- c. The specific actions that caused Complainant to feel intimidated.

ANSWER:

12. Identify the source of law that grants the Illinois Pollution Control Board ("PCB") the authority to grant Complainant the relief he seeks, including:

- a. PCB's authority to void the permit;
- b. PCB's authority to assess a financial civil penalty; and
- c. PCB's authority to order a study assessing migration patterns of Canadian Geese.

ANSWER:

RESPONDENT:
VILLAGE OF WOODRIDGE

By: /s/ Phillip A. Luetkehans
Its: Attorney

Phillip A. Luetkehans
pal@lbgalaw.com
Luetkehans, Brady, Garner & Armstrong, LLC
105 East Irving Park Road
Itasca, IL 60143
(630) 773-8500
ARDC No. 06198315

VERIFICATION

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, the undersigned confirms that the statements set forth in this instrument are true and correct, except as to matters therein stated to be upon information and belief, and, as to such matters, the undersigned states that he verily believes the same to be true.

PAUL CHRISTIAN PRATAPAS

CERTIFICATE OF SERVICE

I, PHILLIP A. LUETKEHANS, an attorney, certify that I caused the foregoing Respondent's First Set of Interrogatories to Complainant to be served all parties of record or interest, as shown below:

Paul Christian Pratapas
paulpratapas@gmail.com
1779 Kirby Parkway, Ste 1, #92
Memphis, TN 38138

Illinois Pollution Control Board
Don Brown - Clerk of the Board
don.brown@illinois.gov
100 W. Randolph St. Suite 11-500
Chicago, IL 60601

Robbins DiMonte Ltd
Eric G. Patt
epatt@robbinsdimonte.com
180 N. LaSalle St., Suite 3300
Chicago, IL 60601
(312)-782-9000

by causing a true and correct copy of same to be sent via email transmission to the email addresses as reflected above, on the 20th day of October, 2023.

/s/ Phillip A. Luetkehans