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AUG 12 2015

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE POLLUTION CONTROL BOARD

SUSAN M. BRUCE,)	
)	
Complainant,)	
)	
v.)	No. 2015-139
)	
HIGHLAND HILLS SANITARY DISTRICT,)	
)	
Respondent.)	

 **ORIGINAL**

OBJECTION TO MOTION TO DISMISS AMENDED COMPLAINT

Complainant, SUSAN M. BRUCE, by her attorneys, HUCK BOUMA PC, objects to the motion of the respondent, HIGHLAND HILLS SANITARY DISTRICT, to dismiss her amended complaint. In opposition to the motion, complainant states as follows:

1. The main basis set forth in the motion to dismiss is the respondent's motion for reconsideration, which will be addressed separately in the complainant's objection to the respondent's motion for reconsideration.

2. The only other issue raised in the motion to dismiss is in paragraph 8 of the motion, where the respondent seeks to make a distinction without a difference in complainant's "residence" and "property." In paragraph 8, the respondent also alleges the complainant should have alleged her relationship with Mr. Travieso. But, the Order does not require such an allegation. As the respondent notes in paragraph 8, pursuant to the terms of the Order complainant only had to allege a relationship if there was one, by using the phrase "if any."

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WHEREFORE, complainant, SUSAN M. BRUCE, requests an order denying the motion of the respondent to dismiss the amended complaint, and for all other relief deemed appropriate under the circumstances.

Respectfully submitted,

HUCK BOUMA PC


Lawrence A. Stein

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CERTIFICATE OF MAILING

I, LAWRENCE A. STEIN, state as follows under penalty of perjury this tenth day of March 2015:

1. I filed this *Objection to Motion to Dismiss Amended Complaint* by placing it in an envelope with proper postage prepaid and plainly addressed to State of Illinois, Clerk of the Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601.

2. I served this *Objection to Motion to Dismiss* by placing accurate copies of it in an envelope with proper postage prepaid and by certified mail, return receipt requested, and plainly addressed to Joseph R. Podlewski, Jr., Esq., Heidi E. Hanson, Esq., Podlewski & Hanson P.C., 4721 Franklin Avenue, Suite 1500, Western Springs, Illinois 60558.

3. I deposited the envelopes in the United States mail at Wheaton, Illinois on August 10, 2015.


