ILLINOIS POLLUTION CONTROL BOARD
July 27, 2026

VITAUTAS MATULYAUSKAS	)	
	)	
Complainant,	)	
	)	PCB 26-44
v.	)	(Citizens Enforcement – Noise)
	)	
LISLE PARK DISTRICT,	)	
	)	
Respondent.	)	

HEARING OFFICER ORDER

On June 5, 2026, petitioner filed three motions, to wit: Complainant's Motion for Leave to Correct Exhibits I-1 and I-2 and Related Textual Descriptions in Complainant's June 2, 2026, Filings (Mot. to Correct); Complainant's Motion to Strike the Affidavit of Insufficient Knowledge and to Deem the Contradicted Allegations Admitted (Mot. to Strike); Complainant's Motion for Leave to File a Focused Supplemental Memorandum in Response to Respondent's June 1, 2026, Answer (Mot. to File Focused).

On June 25, 2026, respondent filed its response in Opposition to Complainant's Motion to file a Focused Supplemental Memorandum (Resp. to Focused Suppl. Memo), and its response to strike the Affidavit (Resp. to Strike).

Discussion and Decision

First, complainant's motion for leave to file correct exhibits I-1 and I-2 and related textual descriptions in complainant's June 2, 2026, filing is **granted**. Respondent did not file a response, and during the June 26, 2026, telephonic status conference respondent orally stated that it did not object to complainant's motion to correct.

Next, complainant's motion to strike the affidavit of insufficient knowledge of affiant found in respondent's answer is **denied**. In summary, complainant argues that the affiant, Dan Garvy's, Director of Parks and Recreation Lisle Park District, statements are untrue as to his lack of knowledge to the attached exhibits and documents to the complaint. *See* generally Mot. to Strike[1]

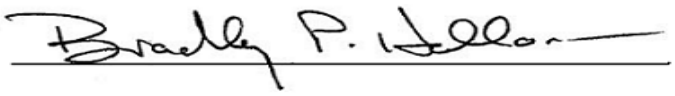
Respondent argues that its answer "acknowledges that certain documents are attached to the complaint but asserts that it lacks knowledge sufficient to form a belief as to the truth or accuracy of the information contained in the exhibit." Resp. to Strike at 2. Moreover, any issue complainant has with respondent's answer and attached affidavit is appropriately addressed in discovery. *Id*. at 3.

[1] Complainant's motions are unpaginated.

Finally, complainant's motion to file a Focused Supplemental Memorandum in Response to Respondent's June 1, 2026, Answer is procedurally improper. As with complainant's motion to strike addressed above, any issues with respondent's answer can be fleshed out in discovery. Complainant's motion for leave to file a focused supplemental memorandum to respondent's answer is **denied**.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on July 27, 2026, at 11:30 a.m. The telephonic status conference must be initiated by the complainant by calling the number below, then I will call the respondent to bring it into the conference call. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter.

IT IS SO ORDERED.



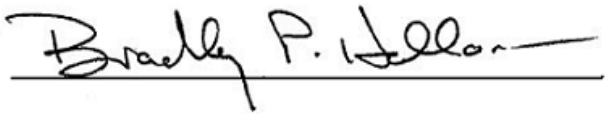
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
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Suite 630
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed, on July 27, 2026, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on July 27, 2026:

Don Brown
Illinois Pollution Control Board
60 E. Van Buren Street
Suite 630
Chicago, Illinois 60605



Bradley P. Halloran
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Illinois Pollution Control Board
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@ Consents to electronic service

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