

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
by KWAME RAOUL, Attorney	)	
General of the State of Illinois,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 2025-040
	)	(Enforcement – Land)
ROYAL CREATION INC., an Illinois	)	
corporation, and STEFON GIVENS, an	)	
individual,	)	
	)	
Respondents.	)	

NOTICE OF FILING

To: Persons on Attached Service List

PLEASE TAKE NOTICE that I have today caused to be filed with the Clerk of the Illinois Pollution Control Board by electronic filing the following Motion to Voluntarily Dismiss, a true and correct copy of which is attached hereto and hereby served upon you.

PEOPLE OF THE STATE OF ILLINOIS,
KWAME RAOUL, Attorney General of the State of
Illinois

By: /s/ Molly Kordas
Molly Kordas
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
115 S. LaSalle Street, 23rd Floor
Chicago, Illinois 60603
(773) 590-7047
Molly.Kordas@ilag.gov

Dated: August 11, 2026

Service List

Brad Halloran
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren, Suite 630
Chicago, IL 60605
Brad.Halloran@illinois.gov
(Via Email)

ROYAL CREATION INC.
c/o Kiera Givens, Registered Agent
4435 Waubansie Lane
Lisle, IL 60532-1062
(Via U.S. Mail)

Stefon Givens
4435 Waubansie Lane
Lisle, IL 60532-1062
(Via U.S. Mail)

CERTIFICATE OF SERVICE

I, Molly Kordas, as Assistant Attorney General, do certify that on this 11th day of August 2026, I caused to be served a copy of the foregoing Notice of Filing and Motion to Voluntarily Dismiss, upon the persons listed on the attached Service List by methods described.

/s/ Molly Kordas
Molly Kordas
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
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	)	
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COMPLAINANT’S MOTION TO VOLUNTARILY DISMISS WITHOUT PREJUDICE

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, moves the Board to dismiss Count IV of this action without prejudice and without costs pursuant to Section 101.500(a) of the Board’s General Rules (“General Rules”), 35 Ill. Adm. Code 101.500(a), and Sections 2-1009 and 5-117 of the Illinois Code of Civil Procedure (“Code”), 735 ILCS 5/2-1009 and 5-117 (2024). In support thereof, Complainant states as follows:

1. On January 17, 2025, Complainant filed its Complaint in case no. PCB 2025-040, at the request of the Illinois Environmental Protection Agency (“Illinois EPA”), against Respondents for alleged violations that resulted from a vehicle collision and spill of diesel fuel at or near the intersection of Argo Fay Route and Thomson Road in Carroll County, Illinois (“Collision Site”).

2. On October 20, 2025, Complainant filed a Motion to Deem Facts Admitted and for Summary Judgment requesting that the Board issue an order deeming all material facts in Complainant’s Complaint as admitted against Respondents, Royal Creation Inc. (“Royal

Creation”) and Stefon Givens (collectively, “Respondents”), as to Counts I through VII of the Complaint, and granting summary judgment as to Counts I through VII of the Complaint against Respondents.

3. On July 9, 2026, the Board issued an Interim Opinion and Order of the Board (“Interim Order”). The Board granted Complainant’s unopposed Motion to Deem Facts Admitted and granted Complainant’s unopposed Motion for Summary Judgment as to Counts I, II, III, V, VI, and VII, finding that Respondents violated Sections 12(a), 12(d), 21(a), 21(e), 21(p)(1), and 21(p)(6) of the Act, 415 ILCS 5/12(a), 12(d), 21(a), 21(e), 21(p)(1), and 21(p)(6) (2022). Interim Order at 7-10.

4. Construing the record strictly against Complainant and liberally in favor of Respondents, the Board found a genuine issue of material fact and denied Complainant’s Motion for Summary Judgment as to Count IV of the Complaint. Interim Order at 8-9.

5. In the interest of judicial economy and to simplify matters proceeding to hearing on remedy, Complainant respectfully moves to voluntarily dismiss Count IV of the Complaint and proceed to hearing on remedy only as to Counts I through III and V through VII, where the Board has made a finding of liability against Respondents.

6. While the Board’s General Rules do not specifically provide for a motion for voluntary dismissal, the Board can and has voluntarily dismissed enforcement matters on the complainant’s motion. *See, e.g., People v. Everett Allen, D/B/A Allen Waste Management et al.*, PCB 95-65 (Dec. 7, 1995) (“On December 6, 1995 complainant filed a Motion to Voluntary Dismiss Complaint against respondents . . . The motion is granted. This docket is closed.”). Moreover, Section 101.100(b) of the General Rules, 35 Ill. Adm. Code 101.100(b), provides: “the

Board may look to the Code of Civil Procedure and the Supreme Court Rules for guidance where the Board's procedural rules are silent."

7. Section 2-1009(a) of the Code, 735 ILCS 5/2-1009(a) (2024), provides as follows:

The plaintiff may, at any time before trial or hearing begins, upon notice to each party who has appeared or each such party's attorney, and upon payment of costs, dismiss his or her action or any part thereof as to any defendant, without prejudice, by order filed in the cause.

8. As of the date of filing this motion, the Board has not set a hearing date in the above-captioned matter.

9. Accordingly, as this matter has not yet gone to hearing, pursuant to Section 2-1009(a) of the Code, 735 ILCS 5/2-1009(a) (2024), the Board may grant Complainant's Motion to Voluntarily Dismiss Count IV of this action against Respondents without prejudice.

10. Section 5-117 of the Code, 735 ILCS 5/5-117 (2024), provides, in relevant part, as follows:

In all actions commenced or to be commenced for and on behalf of the people of this state, . . . if the action is voluntarily dismissed by the plaintiff . . . the defendant shall not recover any costs whatever.

11. As provided by the plain language of Sections 2-1009(a) and 5-117 of the Code, 735 ILCS 5/2-1009(a) and 5-117 (2024), the Complainant requests that the Board grant its Motion to Voluntarily Dismiss Count IV of the Complaint against Respondents without prejudice, with the parties to each bear their own costs.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, respectfully requests that the Board enter an order granting Complainant's Motion to Voluntarily Dismiss Count IV of the Complaint against Respondents, without prejudice and without costs.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. KWAME RAOUL, Attorney General
of the State of Illinois

By: /s/ Molly Kordas

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