ILLINOIS POLLUTION CONTROL BOARD
October 15, 2026

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

ORDER OF THE BOARD (by A. Liva):

On January 5, 2026, Vitautas Matulyauskas (Mr. Matulyauskas) filed a *pro se* complaint against the Lisle Park District (Lisle). The complaint concerns noise from pickleball courts in Abbeywood Park at 2211 Abbeywood Drive, Lisle, DuPage County. Mr. Matulyauskas now seeks to amend his complaint. Lisle does not object. The Board grants Mr. Matulyauskas' motion for leave to file a first amended complaint and directs Lisle to answer or otherwise plead by November 16, 2026.

FIRST AMENDED COMPLAINT

On September 8, 2026, Mr. Matulyauskas filed a motion for leave to file an amended complaint (Mot.). Attached to the motion was a clean version of the first amended complaint (Am. Comp.) as well as a version that showed the changes to the original complaint in strike-through and underline. The parties had been engaged in discovery, with the deadline to file responses to written discovery set for September 30, 2026, by hearing officer order (HOO). After the filing of the motion, the hearing officer suspended all discovery until the motion was resolved by the Board. HOO, Sept. 17, 2026.

Mr. Matulyauskas' revisions to the complaint include striking certain adverse effects alleged in the original complaint and adding adverse effects relating to enjoyment of life and use of his residential property. Am. Comp. at ¶ 8. Other changes include withdrawing reliance on Exhibit S, revising references to the Illinois Environmental Protection Act, and any mention of "complainants" has been revised to "complainant." Mot. at ¶ 5.

Lisle timely filed its response to the motion on September 25, 2026 (Resp.). Lisle does not object to Mr. Matulyauskas' motion to file an amended complaint. Resp. at 1. Lisle asks that if the motion is granted, that the Board afford Lisle a reasonable amount of time to answer or otherwise respond to the amended complaint. *Id*. at 2.

The Board grants Mr. Matulyauskas' motion for leave to file the first amended complaint and accepts the complaint. Lisle is directed to answer or otherwise plead by November 16, 2026.

DISCOVERY ISSUES

Both parties make requests of the Board with regard to the timing of restarting discovery. All discovery is stayed until November 16, 2026. After that date, the hearing officer will set a revised discovery schedule pursuant to 35 Ill. Adm. Code 101.616.

Lisle reports that it anticipates filing a request for a protective order relating to Mr. Matulyauskas' 510 requests to admit. Resp. at 2. The Board's procedural rules under 35 Ill. Adm. Code 101.616(d) govern protective orders as related to discovery matters. No such request has been filed with the Board or the hearing officer at this time. Therefore, there is nothing before the Board to decide on this matter.

On September 29, 2026, Mr. Matulyauskas filed a document titled "Complainant's Response to Respondent's Request for Related Relief." The Board interprets the filing to be a reply to Lisle's response to the motion for leave to file. Section 101.500 of the Board's rules state, in part, "[t]he moving person will not have the right to reply, except as the Board or the hearing officer permits to prevent material prejudice." 35 Ill. Adm. Code 101.500(e). The Board finds no material prejudice alleged within the reply and therefore denies any request to file the document.

ORDER

1. The Board grants Mr. Matulyauskas' motion for leave to file a first amended complaint.

2. Lisle is directed to answer the first amended complaint or otherwise plead by November 16, 2026.

3. The hearing officer is directed to set a revised discovery schedule after November 16, 2026.

4. The Board denies Mr. Matulyauskas' motion to file the Complainant's Response to Respondent's Request for Related Relief.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on October 15, 2026, by a vote of 5-0.

Don A. Brown

Don A. Brown, Clerk
Illinois Pollution Control Board