

BEFORE THE POLLUTION CONTROL BOARD

PROTECT WEST CHICAGO,)	
)	
Petitioner,)	PCB 2023-107
)	(Pollution Control Facility Siting Appeal)
vs.)	
)	
CITY OF WEST CHICAGO, WEST)	
CHICAGO CITY COUNCIL, and)	
LAKESHORE RECYCLING SYSTEMS,)	
LLC,)	
)	
Respondents.)	

PEOPLE OPPOSING DUPAGE)	
ENVIRONMENTAL RACISM,)	
)	
Petitioner,)	PCB 2023-109
)	(Third-Party Pollution Control Facility
vs.)	Siting Appeal)
)	
CITY OF WEST CHICAGO and)	
LAKESHORE RECYCLING SYSTEMS,)	
LLC,)	(Consolidated)
)	
Respondents.)	

RESPONDENT LAKESHORE RECYCLING SYSTEMS, LLC'S MOTION FOR LEAVE TO SERVE INTERROGATORIES UPON PETITIONER, PROTECT WEST CHICAGO

Now comes the Respondent, LAKESHORE RECYCLING SYSTEMS, LLC, by and through its attorneys, George Mueller and Karen Donnelly, and for its Motion for Leave to Serve Interrogatories upon the Petitioner, PROTECT WEST CHICAGO, states and alleges as follows:

1. According to the April 21, 2023, Order of Hearing Officer Bradley Halloran, the parties submitted a proposed Discovery Schedule which recited that discovery was to be exchanged between the parties on or before May 5, 2023.

2. Respondent, LAKESHORE RECYCLING SYSTEMS, LLC, was served a First Request for Production of Documents by PWC on May 5, 2023.

3. Thereafter, LAKESHORE filed a Motion to Strike the Request. At the present date, the Motion remains pending and unresolved by the Board.

4. Other discovery has been issued by PWC to other Respondents, who have also filed certain Motions to Strike which too remain pending and unresolved by the Board.

5. LAKESHORE should be granted leave to serve Interrogatories upon PWC to be answered by them by a date certain.

6. On June 8, 2023, Attorney Ricardo Meza, on behalf of PWC, filed an Agreed Revised Motion to Set Discovery and Briefing Schedule, which reflects that depositions are to be completed no later than July 28, 2023, with Petitioner's Opening Brief due no later than September 1, 2023, a Response Brief due no later than October 2, 2023, and a Reply Brief due no later than October 27, 2023.

7. Based upon the pending motions and objections to discovery, and the Agreed Revised Motion to Set Discovery filed by PWC, no prejudice will result to PWC by granting leave to LAKESHORE to serve upon PWC certain Interrogatories.

WHEREFORE, based upon the foregoing, LAKESHORE RECYCLING SYSTEMS, LLC respectfully requests that the Board enter an Order granting leave to LAKESHORE to serve upon PWC its First Set of Interrogatories to be answered on or before July 14, 2023, and for such other and further relief as this Board deems just and equitable.

Respectfully submitted,

LAKESHORE RECYCLING SYSTEMS, LLC,
Respondent

BY: /s/ George Mueller

George Mueller
One of its Attorneys

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