

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PAUL CHRISTIAN PRATAPAS)	
Complainant)	PCB No. 2023-074
v.)	
)	
SAWGRASS by PULTE HOMES,)	
Respondent.)	

RESPONDENT’S OBJECTION TO COMPLAINANTS MOTION FOR EXTENSION

Respondent, PULTE HOME COMPANY, LLC (“Pulte Home”), improperly sued as “Sawgrass by Pulte Homes”, by and through its attorneys, SWANSON, MARTIN & BELL, LLP, Responds and objects to Complainant’s motion for extension, dated July 2, 2023 because the motion is wholly devoid of justification and will improperly delay this matter. In support, Respondent states as follows:

COMPLAINANTS MOTION IS ACTUALLY TWO MOTIONS

1. **Motion To Accept Complaint as Properly Served:** Despite miscaptioning his motion as a request for extension, Complainant also asks this Honorable Board to “accept” his improper filing despite the failure to comply with Illinois law or to follow this Board’s rules and recent order regarding proper service. Respondent respectfully urges that this Honorable Board lacks authority to disregard unambiguous Illinois law and rules regarding service of process.
2. **Motion For Extension Of Time:** On its face, Complainant’s motion is devoid of justification for extension, at law or in equity.
3. Complainant’s motion contains unverified hearsay allegations, which Pulte’s Answer specifically denied. Those self-serving allegations are no basis for extension.
4. Complainant says he “[C]annot afford to re-serve Respondent....” However, Complainant never served Pulte in the first place. This Honorable Board’s prior order specifically ruled the complaint lacked proper service on Pulte. Consequently, the basis for Complainant’s motion is incorrect.
5. Finally, Claimant says he “[H]as not been able to identify [Pulte’s] registered agent....” However, this Board’s prior order showed Complainant what to do. Complainant willfully refused to follow the Board’s directions. Failure to comply with the Board’s directive is not proper basis for extension.

WHEREFORE, for the foregoing reasons, Respondent, PULTE HOME COMPANY, LLC, respectfully moves the Illinois Pollution Control Board to DENY Complainant's Motion for Extension.

SWANSON, MARTIN & BELL, LLP

Michael J. Maher/Jay Koehler
Attorneys for Respondent,
PULTE HOME COMPANY, INC.

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CERTIFICATE OF SERVICE

TO: Paul Pratapas at paulpratapas@gmail.com

The undersigned attorney, on oath, state that I served **Respondent's Objection to Complainant's Motion For Extension** on behalf of *Respondent, Pulte Home Company, LLC* on Complainant at the electronic address listed above before 5:00 p.m. on July 3, 2023

SWANSON, MARTIN & BELL, LLP

By: _____ /s/ Michael J. Maher

(x) Under penalties as provided by law pursuant to 735 ILCS 5/1-109,
I certify that the statements set forth herein are true and correct.

Michael J. Maher (mmaher@smbtrials.com)

J. A. Koehler (jkoehler@smbtrials.com)

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