

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PAUL CHRISTIAN PRATAPAS,)	
)	
Complainant,)	
)	
v.)	PCB No: <u>23-71</u>
)	(Citizens Enforcement – Water)
)	
)	
VILLAGE OF WOODRIDGE,)	
)	
Respondents)	
_____)	

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on October 20, 2023, the VILLAGE OF WOODRIDGE electronically filed with the Office of the Clerk of the Illinois Pollution Control Board **Respondent's first Request for Production of Documents**, copy of which is hereby served upon you.

/s/ Phillip A. Luetkehans _____
One of the Attorneys for the Village of Woodridge

Luetkehans, Brady, Garner & Armstrong, LLC
Phillip A. Luetkehans
pal@lbgalaw.com
105 East Irving Park Road
Itasca, IL 60143
(630) 773-8500
ARDC No. 06198315

CERTIFICATE OF SERVICE

I, Phillip A. Luetkehans, an attorney, certify that I have served the attached **Respondent's first Request for Production of Documents** upon the following all parties of record, as shown below:

Paul Christian Pratapas
paulpratapas@gmail.com
1779 Kirby Parkway, Ste 1, #92
Memphis, Tennessee 38138

Illinois Pollution Control Board
Don Brown - Clerk of the Board
don.brown@illinois.gov
100 W. Randolph St. Suite 11-500
Chicago, Illinois 60601
(312)-814-3620

Robbins DiMonte Ltd
Eric G. Patt
epatt@robbsindimonte.com
180 N. LaSalle St., Suite 3300
Chicago, Illinois 60601
(312)-782-9000

by causing a copy of same to be sent via email transmission to the email addresses reflected above, on the 20th day of October, 2023.

/s/ Phillip A. Luetkehans

One of the Attorneys for the Village of Woodridge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PAUL CHRISTIAN PRATAPAS,)
)
 Complainant,)
)
 v.) PCB No: 2023-071
) (Citizens Enforcement – Water)
)
)
 VILLAGE OF WOODRIDGE,)
)
 Respondent.)
 _____)

RESPONDENT’S FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS TO COMPLAINANT

NOW COMES Respondent, VILLAGE OF WOODRIDGE, by and through its attorneys, LUETKEHANS, BRADY, GARNER & ARMSTRONG, LLC, and, pursuant to Illinois Supreme Court Rules 201 and 214, requests Complainant, PAUL CHRISTIAN PRATAPAS, produce at the office of Luetkehans, Brady, Garner & Armstrong, 105 E. Irving Park Road, Itasca, Illinois 60143, within twenty-eight (28) days of receipt hereof, the following:

INSTRUCTIONS

1. If in your possession, custody or control, produce the originals of all documents called for, as well as any and all copies of the documents which bear any mark or notation not present on the original.
2. In producing documents called for, segregate the documents so as to identify the numbered request to which each such document(s) respond.
3. If you once had any documents called for herein which have since been destroyed or otherwise disposed of, so indicate and describe the documents by date, author(s), address(es), and general subject matter.

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4. If you once had any documents called for herein, but no longer do, so indicate and describe the documents by date, author(s), address(es), and general subject matter, and indicate the name and address of the person or entity who has possession, control or custody, or who was last known to have possession, control or custody of the document.

5. This request is a continuing request for all documents that are now or may hereafter come into your actual or constructive possession, custody or control and shall include documents generated, created, prepared or received during the period of two (2) years preceding the filing of the complaint, through the date of compliance with this request or trial, which is later, unless otherwise stated.

6. For each such document that is responsive to this request and sought to be withheld under a claim of privilege, the following information shall be provided:

- (a) The place, date (or approximate date) and the manner of record or otherwise preparing the document;
- (b) The name and title of the sender, and the name and title of the recipient of the document;
- (c) A description of the subject of the document;
- (d) The identity of each person or persons (other than stenographic or clerical assistance) participating in the preparation of the documents;
- (e) The identity of each person to whom the contents of the documents have heretofore been communicated by copy, exhibition, sketch, reading or substantial summarization, the dates of such said communication, and the employer and title of the person and the time of said communication;
- (f) A statement of the basis on which privilege is claimed; and
- (g) The identity and title of the person or persons supplying your attorney with the information requested in subsections (a) through (f) above.

7. All documents produced in response to this request shall be produced in total notwithstanding the fact that portions may contain information not requested.

8. For any documents that are stored or maintained in files in the normal course of

business, such documents shall be produced in such files, or in such a manner so as to preserve and identify the file from which such documents were taken.

9. If you withhold any document which is responsive to this document production request under a claim of privilege or work product, for each such document, identify the following:

- (a) its date;
- (b) the document type;
- (c) the general subject matter of the document;
- (d) the name of its author(s);
- (e) the names of the intended recipients;
- (f) the names of all other persons who have seen the document; and
- (g) the legal basis for the claim of privilege or work product.

DEFINITIONS

Each of the following definitions shall apply to all words, phrases and terms in the instructions, other definitions, and description of documents to be produced.

1. The word “communication” is used in a comprehensive sense and includes, but is not limited to: all inquiries, discussions, conversations, negotiations, agreements, meetings, telephone conversations, letters, correspondence, telegrams, telexes, and entries in diaries, calendars, travel logs, printed or handwritten writings reflected in documents or other forms of communication, including but not limited to, both oral and written communications.

2. “Document” shall mean all writings, records, written, printed, typed or graphic matter, and all tangible things, of every type, kind and description, however produced, copies or reproduced, whether draft or final, original or reproduction, signed or unsigned, regardless of whether approved, sent, received, redrafted, executed, erased or otherwise defaced or mutilated, from

whomever and wherever obtained, including, without limiting the generality of the foregoing, all of the following: abstracts, accruals, acknowledgments, affidavits, agreements, analyses, annual reports, appointment books, appointment records, appraisals, articles of incorporation and amendments thereto, audio recording whether transcribed or not, audit programs, audit instructions and other audit materials, audit reports, balance sheets, bids, billings, bills, bills of lading, binders, blanks, books, books of account, brochures, budgets, by-laws, cablegrams, calendars, cash flow projections, certificates, certificates of deposit, charters, charts, checks and checking account records, circulars, commitment printouts, computer programs, computer readouts, computer tapes, confessions, confirmations, and responses to confirmations, contract, correspondence, court pleadings, covenants, credit analyses, reports and memoranda, data compilations for which information can be obtained or translated through detection devices, data processing cards, disks and tapes or readable computer-generated interpretations thereof, including, but not limited to, computer, video, digital, and telephone disks and tapes, date records, delivery records, desk calendars, diaries, drafts, draw or funding requests, drawings, entries, estimates, electronically sent mail, expense reports, filed notes, files, filings of record, films, financial analyses, financial statements, forms and form documents, graphs, handbooks, income statements, indices, instruments, intra-office and interoffice communications, inventory tags and records, invoices, itemizations, joint venture agreements, journals, leases, ledgers, letters, licenses, liens, logs, mail receipts (registered or certified), management reports, manuals, maps, market studies, meeting reports, memoranda, memoranda of all conversations including telephone calls, mortgages, motion pictures, minutes, newspaper, magazine or trade journal articles of advertisements, notations, notes, offers, operating statements, opinions, order forms, orders, pamphlets, payroll records, permits, personal statements or interviews or summaries thereof, personal files, photocopies, photographs, pictures, plans, plats,

press releases, pro formas, projections, proposals, prospectuses, publications, purchase orders, releases, receipts, recordings, records, records of account, regulations, rent rolls, reports, reproductions, requisitions, research, resolutions, reversals, security instruments, sketches, slides, specifications, statements, statistical data or records, stenographic or handwritten notes or transcripts of such notes, stock certificates or records, studies, submissions, summaries, surveys, system analyses, tabulations, tag control documents, tax returns and records, telecopies, telegrams, telephone records and invoices, telexes, texts, time records, time reports, policies and commitments, training manuals, transcripts, travel records, receipts and vouchers, treasury bills, valuations, video records, warehouse receipts, wire records or transfers, writings or work paper, as well as any other matter or media similar to any of the foregoing, however denominated, along with all non-identical (or, by reason of subsequent annotation, no longer identical) copies, drafts or versions thereof and all copies thereof containing any commentary, notations or markings. "Document" is used herein in its broadest sense and shall include, without limitation, and in singular as well as in the plural, any stored or retained data or information in any form, whether by computer or otherwise, including but not limited to estimates, invoices, canceled checks, billing statements, purchase orders, photographs, memoranda (including written memoranda of telephone conversations, other oral communications, discussions, agreements, acts, and activities), letters, postcards, telegrams, correspondence, interoffice communications, handwritten or typewritten notes, pamphlets, diaries, sound recordings, transcripts of sound recordings, contracts, agreements, books, manuals, minutes, evaluations, reports, catalogues, price lists, financial statements, books of account, journal, ledgers, indices, software, data bases, computer programs, microfilm, directives, bulletins, circulars, notices, messages, tabulations, economic or statistical studies, surveys, polls, minutes, instructions, requests, calendars, notebooks, desk pads, appointment books, specifications, drawings, diagrams, sketches,

and writings and records of every kind and character, including preliminary drafts and other copies of the foregoing, however produced or reproduced.

3. The word “party” refers to any natural person, agency, corporation, institution, association, partnership, joint venture, firm, and other associations separately identifiable.

4. The documents and tangible things to be produced are those which are in the possession, custody, or control of Complainant and include, but are not limited to, those in the possession, custody or control of the Complainant’s agents, employees, attorneys, accountants, and investigators.

5. The term “relate to” means consist of, refer to, reflect on, arise out of, or be in any way or manner legally, factually or logically connected with the matter discussed.

6. The terms “you” and “your” shall mean Complainant, Paul Christian Pratapas, or belonging to Complainant.

7. “Complaint” shall mean Complainant’s Complaint filed in this case.

DOCUMENTS REQUESTED

1. All documents identified, referenced, or relied upon when preparing Complainant’s Answers to Interrogatories.

RESPONSE:

2. Any and all photographs that Complainant took of the site, including, but not limited to, any photographs that support Complainant’s allegations.

RESPONSE:

3. Any and all documents that support Complainant’s allegation of excess or improper discharge of pollutants.

RESPONSE:

4. Any correspondence or documents related to and/or supporting the allegations contained in the Complaint.

RESPONSE:

5. Any and all documents that support petitioner's allegation of fraudulent SWPPP Inspection reports and contractor certifications.

RESPONSE:

6. Copies of any filed complaints or grievances filed by Complainant against the Woodridge Police Department.

RESPONSE:

7. An affidavit stating whether your production of requested documents is complete in accordance with Illinois Supreme Court Rule 214.

RESPONDENT:
VILLAGE OF WOODRIDGE

By: /s/ Phillip A. Luetkehans

Its: Attorney

Phillip A. Luetkehans
Luetkehans, Brady, Garner & Armstrong, LLC
pal@lbgalaw.com
105 East Irving Park Road
Itasca, IL 60143
(630) 773-8500
ARDC No. 06198315

AFFIDAVIT OF COMPLIANCE

Affiant, PAUL CHRISTIAN PRATAPAS, having been first duly sworn upon oath, deposes and states that the foregoing Response to Respondent's First Request for Production of Documents to Complainant is complete in accordance with Illinois Supreme Court Rule 214.

Further Affiant saith not.

PAUL CHRISTIAN PRATAPAS

SUBSCRIBED and SWORN to before me

this ____ day of _____, 2023.

Notary Public

CERTIFICATE OF SERVICE

I, PHILLIP A. LUETKEHANS, an attorney, certify that I caused the foregoing Respondent's First Request for Production of Documents to Complainant to be served all parties of record or interest, as shown below:

Paul Christian Pratapas
paulpratapas@gmail.com
1779 Kirby Parkway, Ste 1, #92
Memphis, TN 38138

Illinois Pollution Control Board
Don Brown - Clerk of the Board
don.brown@illinois.gov
100 W. Randolph St. Suite 11-500
Chicago, IL 60601

Robbins DiMonte Ltd
Eric G. Patt
epatt@robbinsdimonte.com
180 N. LaSalle St., Suite 3300
Chicago, IL 60601

by causing a true and correct copy of same to be sent via email transmission to the email addresses as reflected above, on the 20th day of October, 2023.

/s/ Phillip A. Luetkehans