

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE OF FILING

TO: See Attached Certificate of Service

PLEASE TAKE NOTICE that on January 17, 2024, Respondent, VILLAGE OF WOODRIDGE, electronically filed with the Office of the Clerk of the Illinois Pollution Control Board **Respondent's Motion to Compel or Dismiss**, a copy of which is herewith served upon you.

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

Phillip A. Luetkehans, ARDC No. 06198315
pal@lbgalaw.com
Giovanni Padilla, ARDC No. 6343017
gp@lbgalaw.com
LUETKEHANS, BRADY, GARNER
& ARMSTRONG, LLC
105 E. Irving Park Road
Itasca, IL 60143
(630. 773-8500)

CERTIFICATE OF SERVICE

I, Giovanni Padilla, an attorney, certify that I caused the foregoing Notice of Filing and Respondent's Motion to Compel or Dismiss to be filed with the Illinois Pollution Control Board and to have served same upon the following interested parties and parties of record, as shown below:

Paul Christian Pratapas
paul.pratapas@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
(312)-814-3620

Illinois Pollution Control Board
Bradley P. Halloran – Hearing Officer
brad.halloran@illinois.gov
60 E. Van Buren St., Suite 630
Chicago, IL 60605
(312)-814-8917

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

by causing true and correct copies of same to be sent via email transmission to the email addresses reflected above, on the 17th day of January, 2024.

/s/ Giovanni Padilla _____

CERTIFICATE OF SERVICE

I, Phillip A. Luetkehans, an attorney, certify that I have served the attached **Respondent's First Set of Interrogatories** 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
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(312)-814-3620

Robbins DiMonte Ltd
Eric G. Patt
epatt@robbinsdimonte.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,)	
)	PCB No: <u>2023-071</u>
v.)	(Citizens Enforcement – Water)
)	
)	
VILLAGE OF WOODRIDGE,)	
)	
Respondent.)	
_____)	

RESPONDENT’S MOTION TO COMPEL OR DISMISS

NOW COMES Respondent, VILLAGE OF WOODRIDGE, by and through its attorneys, LUETKEHANS, BRADY, GARNER & ARMSTRONG, LLC and hereby moves the Illinois Pollution Control Board for entry of an order either compelling Complainant, PAUL CHRISTIAN PRATAPAS, to appear for deposition or dismiss their motion with prejudice.

In support hereof, Respondent states as follows:

1. Discovery before the Illinois Pollution Control Board is governed by 35 Ill. Admin Code 101.616 which states, *inter alia*, that all relevant information and information calculated to lead to relevant information is discoverable.
2. On November 29, 2023, Hearing Officer Bradley P. Halloran set the discovery schedule for the parties which included a deadline of March 15, 2024 to complete any depositions.
3. Depositions in matters before the Illinois Pollution Control Board are permitted pursuant to 35 Ill Admin Code 101.622.
4. On January 15, 2024, attorneys for respondent asked Mr. Pratapas for available dates to schedule his deposition.

5. In response, Mr. Pratapas unequivocally refused to be deposed, even after being given the opportunity to change his position. See correspondence attached hereto as Exhibit A.

WHEREFORE, Respondent, VILLAGE OF WOODRIDGE, moves this Honorable Board for an order either compelling Complainant's, PAUL CHRISTIAN PRATAPAS, deposition testimony or to dismiss this case with prejudice.

/s/ Phillip A. Luetkehans

Phillip A. Luetkehans, One of the Attorneys for
Respondent, VILLAGE OF WOODRIDGE

Phillip A. Luetkehans, ARDC No. 06198315

pal@lbgalaw.com

Giovanni Padilla, ARDC No. 6343017

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LUETKEHANS, BRADY, GARNER
& ARMSTRONG, LLC

105 E. Irving Park Road

Itasca, IL 60143

(630. 773-8500

EXHIBIT A

Electronic Filing: Received, Clerk's Office 1/17/2024

From: [Phil Luetkehans](#)
To: [Paul Pratapas](#)
Cc: [Giovanni Padilla](#)
Subject: RE: Possible Deposition Dates PCB no. 2023-071
Date: Monday, January 15, 2024 4:43:36 PM
Attachments: [image001.png](#)
[image002.png](#)

Mr. Pratapas,

I am uncertain as to the relevance to the issue of your deposition. However, you had an opportunity to send discover requests to my client, including interrogatories, and failed to avail yourself of that opportunity.

Since you did not answer my question, I am taking it to mean your position has not changed and you will not be agreeing to sit for your deposition.

We will take the appropriate action.

Thank you for your time.

Phil



Phillip A. Luetkehans
Principal
Luetkehans, Brady, Garner & Armstrong, LLC
105 E Irving Park Road
Itasca, IL 60143
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From: Paul Pratapas <paulpratapas@gmail.com>
Sent: Monday, January 15, 2024 4:16 PM
To: Phil Luetkehans <pal@lbgalaw.com>
Cc: Giovanni Padilla <GP@LBGALAW.COM>
Subject: Re: Possible Deposition Dates PCB no. 2023-071

Provide the legal basis for your client violating nearly all of their legal obligations, denying it and then attempting to use the same laws to attack the people holding them accountable. While bound by

Electronic Filing: Received, Clerk's Office 1/17/2024

the contractor certification. All while denying access to the information required to properly engage in my civil liberties.

<https://www.crisisprevention.com/Blog/De-Escalation-Tip-of-the-Day-Ignore-Challenging-Q>

Regards,

Paul Pratapas

www.peapod.services

On Mon, Jan 15, 2024 at 4:03 PM Phil Luetkehans <pal@lbgalaw.com> wrote:

Mr. Pratapas,

With all due respect, I want to make sure I understand your position. Am I correct that you are not willing to attend a deposition in this matter that you brought against my client. I just want to confirm this is your position before I bring the appropriate motion before the Hearing Officer. Please advise.

Thank you,

Phil



Phillip A. Luetkehans

Principal

Luetkehans, Brady, Garner & Armstrong, LLC

[105 E Irving Park Road](#)

[Itasca, IL 60143](#)

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From: Paul Pratapas <paulpratapas@gmail.com>

Sent: Monday, January 15, 2024 3:59 PM

To: Giovanni Padilla <GP@LBGALAW.COM>

Cc: Phil Luetkehans <pal@lbgalaw.com>

Electronic Filing: Received, Clerk's Office 1/17/2024

Subject: Re: Possible Deposition Dates PCB no. 2023-071

As a result of repetitive challenging of incontestable photographic evidence submitted by a certified inspector and covered under the contractor certification clause of the NPDES permit. I will not be answering any questions or participating in any depositions aimed at dishonoring the laws of The United States. Or attempting to discredit me and my work.

I suggest you start thinking of a number for a monetary settlement, repent and sin no more.

Regards,

Paul Pratapas

www.peapod.services

On Mon, Jan 15, 2024 at 3:29 PM Giovanni Padilla <GP@lbgalaw.com> wrote:

Mr. Pratapas,

Please advise on your availability during the weeks of 2/19/24 and 2/26/24 for the scheduling of your deposition. Please provide multiple dates and times if possible.

Thank you,
Giovanni Padilla



Giovanni Padilla
Luetkehans, Brady, Garner & Armstrong, LLC
[105 E. Irving Park Road](#)
[Itasca, IL 60143](#)
Direct: (630) 760-4603
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