

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PAUL CHRISTIAN PRATAPAS	)	
	)	
Complainant,	)	
	)	PCB No. 2023-014
v.	)	(Enforcement)
	)	
HORIZON CONSTRUCTION	)	
GROUP, INC.	)	
	)	
Respondent.	)	

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**RESPONDENT’S RESPONSE TO COMPLAINT’S EMAIL CORRESPONDENCE**

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On January 19, 2024, the Complaint submitted an email to the Illinois Pollution Control Board (“the “Board”) explaining that he missed the January 18 telephonic status call because he “did not have Internet and most of Memphis is closed right now due to weather.” This excuse is off the mark. The status conference was to be held by telephone and did not require an internet connection. Therefore, his protests about lack of internet are belied by his use of internet to advance this excuse.

The Respondent notes for the Board that the Complaint submitted this electronic email via the Internet at a time when the Complainant claims he did not have internet access. Moreover, he responded based on an email filing notice from the Board’s EFile system shortly after missing the status conference claiming that he did not have internet access. The Respondent also notes for the Board that the notice of the January 18 telephone conference was issued on November 16, 2023, and clearly indicated Complainant was responsible for initiating a telephonic status conference January 18, 2024. Initiating this telephonic conference does not require an internet connection.

These circumstances provide additional circumstances where the Complainant continues to disregard his obligations to both the Board and the Respondent. Overall, the Complainant has missed numerous status hearings and provided vague, unsubstantiated excuses for these failures only after receiving notice from the Board and Complainant about the missed hearings. The Complainant has failed to initiate any of the hearings, did not respond to discovery requests, did not identify and disclose witnesses, and identify documents supporting his claims, even though he has the burden of proof.

To continue this matter and continue placing further burdens on the Respondent risks the continuous waste of both the Board's time and the Respondent's time and resources. As such, the Respondent urges the Board to grant the Respondent's Motion to Dismiss with Prejudice.

Dated this 30<sup>th</sup> day of January 2024.

Respectfully submitted,

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Attorneys for Respondent Horizon  
Construction Group, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 30<sup>th</sup> day of January 2024, I electronically filed RESPONDENT'S RESPONSE TO COMPLAINT'S EMAIL CORRESPONDENCE with the Clerk of the Board using the Clerk's Office On-Line (COOL) EFile system.

The COOL EFile system will send email notification of such filing to:

Complainant: Paul Christian Pratapas

Interested Party: Don Brown, Clerk of the Board



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Jon Micah Goeller