

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

CENTREVILLE CITIZENS FOR CHANGE, )  
WALTER BYRD, LESTER GOREE, )  
WILLIAM MCNEAL, DELORES SAFFOLD- )  
CRIGLER, BARBARA EILAND, SHARON and )  
BOBBY SMITH, YVETTE LYLES, )  
PATRICIA GREENWOOD, LEON SPRUELL, )  
MARIO and TAMARA GLADNEY, HATTIE )  
IVY, SHEILA GLADNEY, JOAN DANCY, )  
MICHAEL and PATRICIA JOHNSON, )  
VANESSA MARION, CAROLYN and )  
MAURICE TAGGART, LEICHUE HYCH and )  
LAKESHA WARE, MARY ANTHONY, LEOLA )  
GREEN, JEANETTE GREEN, VITTORIO )  
BLAYLOCK, ALLENE HOPKINS, JAMES and )  
REUBEN ANN COX, ONNIE RANDOLPH, and )  
KENNETH P. MCINTYRE )

*Plaintiffs,*

v.

COMMONFIELDS OF CAHOKIA )  
PUBLIC WATER DISTRICT, )  
CITY OF CAHOKIA HEIGHTS, and the )  
METRO EAST SANITARY DISTRICT )

*Defendants.*

**Civil Action No.** 3:21-cv-00842-DWD

**CJRA Track:** N/A

**Trial Date:** October 21, 2024

**Judge:** David W. Dugan

**Mandatory Mediation:** No

Oral Argument Requested

**PLAINTIFF CENTREVILLE  
CITIZENS FOR CHANGE’S MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT ON LIABILITY**

**PLAINTIFF CENTREVILLE CITIZENS FOR CHANGE’S  
MOTON FOR PARTIAL SUMMARY JUDGMENT ON  
DEFENDANT CITY OF CAHOKIA HEIGHTS’ CLEAN WATER ACT LIABILITY**

Pursuant to Federal Rule of Civil Procedure 56, Plaintiff Centreville Citizens for Change (“CCC”) hereby moves for summary judgment on Defendant City of Cahokia Heights’ liability for Counts I and II of the Third Amended Complaint alleging violations of the Clean Water Act. The City of Cahokia Heights’ unpermitted discharges of sewage from its sanitary sewer system into waterways in a residential neighborhood and tributaries of the Mississippi River harm CCC

members who live in the community. There is no genuine dispute as to any material fact and CCC is entitled to judgment as a matter of law because the City of Cahokia Heights is discharging pollutants from point sources to the waters of the United States without a permit in violation of Section 301 of the Clean Water Act. 33 U.S.C. § 1311(a). CCC moves for a ruling that the City of Cahokia Heights has violated and is violating section 301 of the Clean Water Act. Such a ruling will resolve the liability portion of the Clean Water Act claims against the City of Cahokia Heights and allow the parties to focus on the appropriate remedy for the Clean Water Act violations.

CCC incorporates by reference its supporting Brief, the Declarations of Anna M. Sewell, Walter Byrd, Lester Goree, Yvette Lyles, William T. McNeal, and Leon Spruell, and the exhibits thereto.

CCC respectfully requests oral argument on this motion for partial summary judgment.

For these reasons and those more fully stated in CCC's Brief in Support of Partial Summary Judgment, CCC's motion should be granted.

Respectfully submitted this 3rd day of March 2023.

By: /s/ Mary K. Rock  
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By: /s/ Anna M. Sewell (with consent)  
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By: /s/ Courtney Bowie (with consent)

Courtney Bowie (MS Bar No. 102528), *Pro Hac Vice*

Susan Kraham (NY Bar No. 2558641), *Pro Hac Vice* (with consent)

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**Certificate of Service**

I hereby certify that on March 3, 2023, I electronically filed the attached **Plaintiff Centreville Citizens for Change’s Motion for Partial Summary Judgment on Defendant City of Cahokia Heights’ Clean Water Act Liability**, as well as the **Plaintiff Centreville Citizens for Change’s Brief in Support of Partial Summary Judgment on Defendant City of Cahokia Heights’ Clean Water Act Liability** and supporting declarations and exhibits, with the Clerk of Court using the CM/ECF system which will send notification of the filing to all counsel of record.

CM/ECF does not reflect the new contact information of Gregg Kinney, per Doc. 109, and therefore Plaintiff CCC is also notifying Mr. Kinney of this filing by email to his new address ([Gregg.Kinney@practus.com](mailto:Gregg.Kinney@practus.com)).

Respectfully submitted,

*s/ Mary K. Rock*

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