

**SHAH LEGAL
REPRESENTATION**

ANKUR SHAH

MANAGING PARTNER

ASHAH@SHAHLEGALREP.COM

WRITERS DIRECT DIAL

312 612 9221

WWW.SHAHLEGALREP.COM

333 SOUTH WABASH AVENUE

SUITE 2700

CHICAGO, IL 60604

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Mariyana Spyropoulos
President of Board of Commissioners
Metropolitan Water Reclamation District of Greater Chicago
100 East Erie St.
Chicago, IL 60611
Email: mariyana.spyropoulos@mwrdd.org

Dear Ms. Spyropoulos:

I am the attorney for Dust Catcher's Inc. Please accept this appeal of the "Large Commercial Industrial User" amounts billed to Dust Catchers Inc. in 2015, Dust Catcher's LCI user classification, and potential classification as an "SIU."

Dust Catchers 2015 RD-925 was due as of February 22, 2016. An initial Section 9(a) appeal to the Director of Monitoring and Research, Dr. Thomas Granato was made on May 20, 2016. A 9(a) appeal meeting was held on July 21, 2016. Myself and Grant DeNormandie attended on behalf of Dust Catchers Inc., while Jorge Mihalopoulos, Mathew Joseph, Gregory Yarnik, Michael Goldstein, and Lolital Thompson attended on behalf of the MWRD.

The MWRD denied Dust Catchers appeal in a letter dated July 29, 2016. According to Section 9(b), an appeal to the President of the Board of Commissioners

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may be made within 30 days of the receipt of an appeal denial. Therefore this appeal is timely.

Section 9(b) requires a 75% deposit in order to carry out an appeal before the President of the Commission, however, we kindly ask that this requirement be waived in light of the circumstances of this case where:

- (1) Dust Catcher's LCIU classification was made without reliable water sampling - meaning the User Charge for 2015 should be \$0.00.
- (2) Dust Catchers and the MWRD are currently litigating in *MWRD v. Dust Catchers*, 2015-L-012550 (filed by the MWRD in late 2015)
- (3) Dust Catchers has been forced to expend sums in excess of the 75% deposit in the course of litigation
- (4) at the most recent hearing in the litigation the MWRD represented that evidence could be submitted to "correct" any potential LCIU misclassifications in the past, present, or future

Please let me know when there can be a hearing on this matter. For convenience, I have forwarded a copy of the initial appeal submitted to the MWRD.

Very truly yours,



Ankur Shah
Attorney for Dust Catchers Inc.