

**THE ILLINOIS POLLUTION CONTROL BOARD
PCB 23-133**

November 17, 2024

Anna Andrushko, Complainant vs Thomas Egan, Respondent

MOTON TO COMPEL DISCOVERY – RESPONDENT’S INTERROGATORIES TO COMPLAINANT

I, Anna Andrushko, Complainant, hereby move for an order compelling Thomas Egan, Respondent, to answer the Complainant’s Discovery completely and produce the following outstanding discovery regarding the case stated above.

The Rules of Discovery, allow for such a discovery.

I hereby state that the following discoveries have not been supplied:

Respondent’s Answers to Interrogatories and Request for Production dated April 22, 2024 and returned objections to all questions, Clerk date stamped August 08, 2024. Exhibit is attached, and requested again, by this motion.

The questions are all relevant and pertinent to my case stated above.

Respectfully Submitted,

By: *Anna Andrushko*

CERTIFICATE OF SERVICE

I, Anna Andrushko, do hereby certify that, on this November 18, 2024, I caused a copy of the foregoing document to be served on Walsh, Fewkes & Sterba, David A. Fewkes, 7270 W College Drive, Suite 101, Palos Heights, IL 60463, via email Dfewkes@wfstriallaw.com.

BEFORE THE Illinois Pollution Control Board

ANNA ANDRUSHKO)
)
Complainant)
) PCB 23 - 133
v.)
)
THOMAS EGAN)
)
Respondent)

RESPONDENT'S ANSWERS TO INTERROGATORIES

NOW COMES the Respondent, Thomas Egan, by and through his attorneys, Walsh, Fewkes & Sterba, and for his answer to the Formal Interrogatories filed by Complainant, herein states as follows:

1. Who is answering questions to these Interrogatories?
 - a. State your full name, present address, prior address, marital status.
 - b. Who resides at 9311 S. Spaulding Avenue? Full Names and relationship.
- Answer:**
- a. Thomas Egan, 9311 S. Spaulding Ave., Evergreen Park, IL and unmarried.
 - b. Thomas Egan and my girlfriend, Joyce Schramm.
2. Please state whether you are the owner of the dog. If you are not the owner of the dog, please identify who is the owner of the dog.

Answer: Yes

3. Information about the dog. Please state the following:

Answer:

- a. Irish Terrier
- b. Will be 4 years old in September.
- c. 35 lbs.
- d. I did.
- e. Purchased from breeder.

f. – i. Objection. Requests information that is not relevant and will not lead to relevant information.

4. What stimulation do you have available in your yard to keep your dog occupied outside?

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

5. Please indicate whether it is your custom and practice to keep your dog in your yard at all times or when? Do you let your dog out after dark?

Answer: My dog is never out without someone being in the yard with him.

6. Do you provide basic health and welfare to eliminate disturbing the neighbors? Please list, such as adequate food, water, shelter, yard space, companionship for the dog?

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

7. How do you keep things interesting? Have plenty of chew toys for your dog to play with? Raw bones, toys, chew ropes, etc? Provide documentation.

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

8. Is your dog trained? Do you provide training? Do you teach boundaries? Please explain. Provide documentation.

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

9. Dogs are territorial and don't take kindly to other critters invading their space, such as roaming bands of feral cats, racoons, squirrels, etc. How do you resolve your dog from barking and annoying the neighbors? What steps (doggie door, muzzles, electronic collars, landscape) have you taken to eliminate the barking behavior during the day that will disturb the neighbors?

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

10. Common causes of dog barking include: dislikes being left alone, frustration, guarding instinct, attention seeking, frightened, boredom, or excitement. Do you provide daily exercise? Please explain.

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

11. Give a detailed statement of the facts as to how you argue that the noise pollution (music, honking of car horns aimed at the complainant when passing by her, dog barking at complainant) took place since May 1, 2020, to include any facts and documents upon which you intend to rely upon in support of any defense.

Answer: Objection. Requests information that is not relevant and will not lead to relevant information, also is overly broad and unclear.

12. Please state all actions that you have taken to prevent the re-occurrence of your dog from barking at the complainant and animals in her yard, while the dog is running along the fence, and jumping in attempt to gain access over the fence, since acquiring your dog and prior to April 18, 2024, when the hearing officer requested reports and witnesses and respondent was on notice.

Answer: Objection. Confusing, unclear and irrelevant and will not lead to relevant information.

13. Are you aware there are rules and regulations for noise? What are the rules you are aware of? Please explain in support of any defense how you argue.

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

14. Have you made the statement to anyone that "you wanted advice about how to deal with a bad neighbor?" Please explain your statement.

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

15. Have you made the statement to the complainant, "I hope you die! I hope you die today." Please explain your statement.

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

16. Have you made the statement that "the whole block probably does" (after making the statement I hope you die, hope you die today)? Please explain your statement.

Answer: Objection. Requests information that is not relevant and will not lead to relevant information.

Investigation continues as to all questions and Respondent reserves the right to amend his answers as information becomes available.

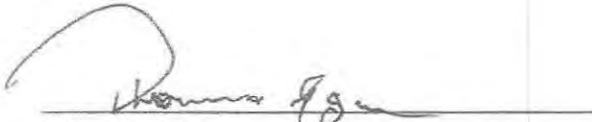
WHEREFORE, Respondent asks that Petitioner's complaint be dismissed and held for naught.

By: 
One of the attorneys for Respondent

WALSH FEWKES & STERBA, P.C.
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CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in the instrument are true and correct, except as to matters therein stated to be on information and belief, and as to matters the undersigned certifies as aforesaid that he verily believes the same to be true and correct.


Thomas Egan