

BEFORE THE Illinois Pollution Control Board

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

RESPONDENT'S SUPPLEMENTAL REPLY TO PETITIONER'S MOTION TO COMPLY WITH PETITIONER'S REQUEST FOR PRODUCTION

NOW COMES the Respondent, Thomas Egan, by and through his attorneys, Walsh, Fewkes & Sterba, and for his reply to Petitioner's Motion to Comply with Petitioner's Request for Production, herein states as follows:

1. Produce all documents about acquisition and origin of the dog and that includes all ownership papers and should include: a) breed of the dog; b) size of the dog; c) weight; d) acquisition date of dog; e) facility/shelter of where did you acquire the dog; f) medical history and; g) age of the dog.

Answer: a. Irish terrier;
a. eighteen (18) inches at shoulder;
b. 32 – 35 pounds;
c. about four (4) years ago;
d. a breeder from Woodstock, Illinois, who moved to France;
e. up to date on all of his shots; no medical issues;
f. four (4).

2. Identify any and all witnesses you intend to call, mention, and/or introduce at the hearing.
 - a. Experts name(s);
 - b. His/her area expertise, factual basis for each such opinion;
 - c. Address(es);
 - d. Amount of compensation paid to each such expert (receipts).

Answer: Assuming this question applies to expert witnesses, they are unknown at this time. Respondent reserves the right to name prior to trial. Investigation continues.

3. Identify any and all documents, reports, and audio and/or video recordings, and identify with specificity each document you intend to introduce as an exhibit or to offer into evidence at trial, but not limited to, pictures, photographs, visual recorded images, and audio recordings.

Answer: Respondent does not know at this time what documents, reports, and audio and/or video recordings, etc. he intends to introduce at trial. Investigation continues.

4. Provide Respondent's plat of survey of the property located at 9311 S. Spaulding Avenue, Evergreen Park, IL 60805.

Answer: Respondent can not find a plat of survey. Investigation continues.

5. Produce complete photos of your back yard and views (north, south, east and west), including fence, lawn, back of house, deck, including garage views and along boundary lot perimeter along adjoining lot where the Complainant's lot is located. Include photos taken from the Respondent's deck and at ground level. Identify with specificity each document.

Answer: Respondent does not have complete photos of his back yard. Investigation continues.

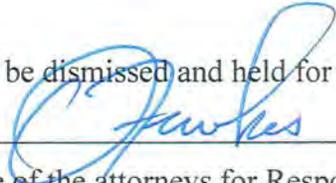
6. Provide documentation to support your steps you have taken to avoid or reduce the noise nuisance. List any and all equipment or products (toys, raw bones, chew ropes, landscape materials), services provided to (training) including various receipts (not limited to last 60 days), that includes dates, names, names of businesses, contact numbers, and cost.

Answer: Respondent has no documentation. Investigation continues.

7. Produce and identify with specificity all documents considered or used in providing your Answers to the Complainant's Interrogatories delivered simultaneously with this Request to Produce.

Answer: None. Investigation continues.

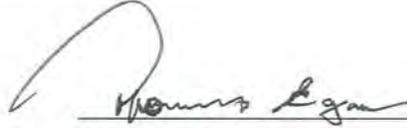
WHEREFORE, Respondent asks that Petitioner's complaint be dismissed and held for naught.

By: 
One of the attorneys for Respondent

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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.

A handwritten signature in black ink, appearing to read "Thomas Egan", is written over a horizontal line. The signature is cursive and somewhat stylized.

Thomas Egan