

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

Anna Andrushko, Complainant vs Thoms Egan, Respondent

**COMPLAINANT'S RESPONSE TO
RESPONDENT'S MOTION TO STRIKE COMPLAINANT'S SUBMITTED DOCUMENTS**

Now comes Complaint, Anna Andrushko, self-represented, requests the Board to deny the Respondent's Motion to Strike Complainant's Submitted Documents.

Hearing Officer ordered Complainant to submit an updated list of Documents for Trial to be presented and reviewed by the Hearing Officer and the Respondent.

The Respondent submitted a list of general topics and dates that the Claimant cannot respond.

The Respondent's Motion to Strike is overly broad and fails to identify with particularity the specific portions of the Complainant that are to be irrelevant, immaterial, or lacking in property foundation. The lack of specifics in the Respondent's Motion prejudices the Complainant's ability to formulate a meaningful response. The burden is on the Respondent to specifically demonstrate the deficiencies in the pleading. The Complainant respectfully request that the Board deny the Respondent's Motin to Strike.

The Complainant has submitted an updated list of Documents for Trial.

Complainant requests The Board to deny the Motion to Strike Complainant's Submitted Documents.

Respectfully submitted,

Anna Andrushko

Anna Andrushko

Exhibit: List of Documents for Trial

DOCUMENTS FOR CASE

Case: PCB23.133 - Andrushko vs Egan

NOISE REPORT: 08/20/24, Resubmitted 12/04/24, 05/08/25, 05/26/25

PHOTOS:

2022 11 21_111507	Respondent's Dog
2023 04 12_172000	Respondent's Yard
2023 10 02_074822	Respondent's Dog in Yard
2024 04 11_171421	Respondent's Yard
2024 04 17_102407	Respondent's Deck
2024 05 17_082314	Respondent's Yard
2024 05 26_161003	Respondent's Yard
2024 05 26_161042	Respondent's Yard
2024 05 26_161326	Complainant's Fence North Lot line
2024 08 19_091621	Respondent's Yard
2025 04 17_112821	Respondent's Yard
2025 04 17_112840	Respondent's Yard
2025 04 17_135649	Respondent's Yard
2025 04 20_181721	Respondent Injured did not comply with fence order
2025 04 20_181725	Respondent Injured did not comply with fence order

POLICE REPORTS:

2014 – 09 21 14	2014-153112	Noise
2017 – 02 14 17	2017-022715	Noise
2017 – 07 17 17	2017-111995	Noise
2020 – 04 23 20	2020-069252	Egan - How to deal with a bad neighbor
2021 – 03 08 21	2021-036117	Noise
2021 – 03 26 21	2021-043479	Noise
2021 – 04 14 21	2021-049663	Noise; Honking horn, conspiracy to force to move
2022 – 06 18 22	2022-02720	Threat
2023 – 04 07 23	2023-01547	Noise

ACTIONS:

2020 – 06 23 20	Cease and Desist
2020 – 07 08 20	Illinois Pollution Board Informal Complaint

ORDINANCES: EVERGREEN PARK

4-5	Misc Offenses; Bark, whine, or howl excessively
9-2	General Duties of Health Officer (Layhe) & Animal Warden Williamson
12-173	Disturbing the Peace
12-188	Loud Speakers

ORDINANCES: EVERGREEN PARK: REPORTS 2010 – 2024

4-5	Misc Offenses; Bark, whine, or howl excessively
12-173	Disturbing the Peace
12-188	Loud Speakers

RESOURCES:

1. SECTION: INTRODUCTION ON NOISE

- 1. SYMPTOMS AND SIDE EFFECTS OF NOISE
- 1. THE HEARING JOURNAL – A NEW DEFINITION OF NOISE
- 1. TOO LOUD! FOR TOO LONG! – VITAL SIGNS – CDC

2. SECTION: STATE LAWS & COMPLAINTS FILED

- 2. 2020 - 06 23 20 CEASE AND DESIST
- 2. 2020 07 08 20 IPCB – INFORMAL COMPLAINT 21-01
- 2. STATE LAW – 415 ILCS 5 25

3. SECTION: LOCAL LAWS FAILED

- 3. 2010-2024 4-5 MISC ANIMAL BARKING REPORT
- 3. 2021 – 09 16 21 – INSPECTORS NOT LICENSED IN EP
- 3. 9300 BLOCK OF SPAULDING – HOMEOWNERS WITH DOGS BARKING
- 3. EP ANIMAL WARDEN – LIST OF TRAININGS 23-24 DOG BITES
- 3. EP ANIMAL WARDING NO TRAINING
- 3. EP BUILDING DEPARTMENT ADMINISTRATION & CERTIFICATIONS
- 3. EVERGREEN PARK – OFFICER BASIC TRAINING CLASSES

4. SECTION: EXPERT ARTICLES AND INFORMATION

- 4. CLEAN AIR ACT TITLE IV – NOISE POLLUTON US EPA
- 4. EPA IDENTIFIES NOISE LEVELS AFFECTING HEALTH AND WELFARE
- 4. IMPACT OF NOISE ON HEALTH THE DIVIDE BETWEEN POLICY AND SCIENCE
- 4. NOISE POLLUTIN IS PERVASIVE IN US PROTECTED AREAS – SCIENCE
- 4. NOISEOFF – NEIGHBORS – SUMMARY – FORM OF ASSULT
- 4. SOLVING NOISE PROBLEMS – GROWN NYC BY BRONZAFT
- 4. WHAT NOISES CAUSE HEARING LOSS – NCEH - CDC
- 4. WOMEN NOISE COMPLAINTS HAVE BEEN DISMISSED BY BRONZAFT PH.D
- 4. WORLD HEALTH ORGANIZATION (WHO) SUMMARY OF ADVERSE HEALTH EFFECTS OF NOISE

5. SECTION: VIDEOS

6. SECTION: PHOTOS

7. SECTION: TESTING AND RESULTS

8. SECTION: UNREASONABLE NOISE DEFINED

- 8. UNREASONABLE NOISE GUIDELINES

9. SECTION: CATEGORY OF NOISE TYPES

10. SECTION: TYPES OF NOISE

10. TYPES OF NOISE

11. SECTION: CONCLUSION:

- 11. AVMA – GUIDELINES FOR RESPONSIBLE PET OWNERSHIP
- 11. AVMA – PET OWNERSHIP

- 11. AVMA – SELECTING A PET DOG
- 11. AVMA – WALKING WITH YOUR PET
- 11. DOG BARKING – TOO MUCH
- 11. DOG OWNER TAUNTING ALLOWING DOG BARKING
- 11. HOW TO STOP A BARKING DOG – HUMANE SOCIETY OF US
- 11. IRISH TERRIOR – VARIOUS RESOURCES
- 11. MOTIVE BASED BRKING - ASPCA