

STATE OF ILLINOIS
POLLUTION CONTROL BOARD
JAMES R. THOMPSON CENTER
100 WEST RANDOLPH STREET, SUITE 11-500
CHICAGO, ILLINOIS 60601

BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

RECEIVED

JAN 12 2004

STATE OF ILLINOIS
POLLUTION CONTROL BOARD

L. ERICKSON

Complainant,

v.

CHARLESTON CLASSIC HOMES,
INC., and LAWRENCE E. VAN
SOMEREN, JR.

Respondent.

PCB 04-26

RESPONDENT'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Now Comes Respondents CHARLESTON CLASSIC HOMES and LAWRENCE E. VAN SOMEREN, JR. (hereinafter referred to as "Respondent"), by and through their attorneys, THOMAS A. APPEL and APPEL & APPEL, LTD., and pursuant to Section 101.614 request that you produce the documents listed below for inspection, copying, and production within twenty-eight (28) days of the date of this Request at the offices of APPEL & APPEL, LTD., 18607 Torrence Avenue - Suite 2A; Lansing, Illinois 60438.

Documents to be Produced:

1. Any documents or other data in your possession which identify the dates on which the Respondent violated any of the following sections: 415 ILCS 5/23,24,25 Title 35 Subtitle H Section 900.101, 900.102.
2. A copy of any documents or data in your possession which establish the hours on any of the above dates in which you contend that Respondent violated : 415 ILCS 5/24 and Title 35, Illinois Administrative Code Subtitle H Section 900.102.
3. A copy of any tape or sound recordings which you intend to introduce as evidence at the hearing of this claim.
4. A copy of any photographs which you intend to introduce as evidence at the hearing of this claim.

5. A copy of any and all documents which you intend to introduce as evidence at the hearing of this claim.

6. Any documents which establish the dates during which Complainant moved out of her home due to noise between July 1, 2003 and the present date.

7. A copy of all prescriptions or any documents establishing over-the-counter medications which Complainant alleges were purchased as a result of any noise generated by Respondent.

8. Any documents establishing the date of any visits to physicians, therapists, or any type of health care provider which Complainant alleges were the result of any noise generated by the Respondent.

9. A copy of Complainant's tax returns for the years 2001, 2002 and 2003.

10. A copy of all pay stubs, W-2s, or any other documents which give evidence of any earnings or income derived by the Complainant from any occupation between January 1, 2001 and the present date.

11. All documents which Complainant intends to introduce into evidence at the hearing which purport to document any headaches, stress, or inability to concentrate incurred by Complainant.

12. All documents which show the expenses incurred by Complainant arising from any alleged move from her home purportedly due to the noise generated by Respondent.

13. A copy of all communication or correspondence with Respondent between January 1, 2003 and the present date.

14. A copy of any and all communications to or from any employees or agents of the Village of Wheaton relating to the alleged noise generated by the Respondent.

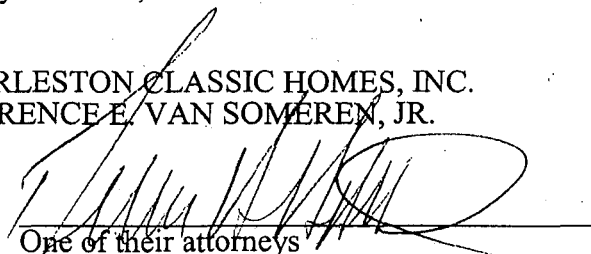
15. A copy of any "actual documentation from inside Complainant's property of excessive and prolonged noise generated from the construction" as alleged in Complainant's response to Complainant's Response to Formal Complaint, dated October 16, 2003.

16. All statements obtained by Complainant from any neighbor relating to the noise generated by Respondent.

17. Complainant's medical records for the years 2001, 2002 and 2003.

CHARLESTON CLASSIC HOMES, INC.
LAWRENCE E. VAN SOMEREN, JR.

BY:


One of their attorneys

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached Interrogatories by regular U.S. Mail, upon the following persons:

Clerk, Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center - Suite 11-500
Chicago, Illinois 60601-3218

Carol Sudman
Hearing Officer
ILLINOIS POLLUTION CONTROL BOARD
1021 N. Grand Ave. E
P.O. Box 19274
Springfield IL 62794-9274

Lynn Erickson
317 East Hawthorne Boulevard
Wheaton, Illinois 60187



Thomas A. Appel, Attorney

Thomas A. Appel - APPEL & APPEL, LTD. #91575
18607 Torrence Avenue - Suite 2A
Lansing, Illinois 60438
708-474-8800

