

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

DEC 4 2003

STATE OF ILLINOIS
Pollution Control Board

MORRY GABEL, MYRA GABEL,)
DON FOREMAN, MARSHA FOREMAN,)
KEITH PINSONEAULT and TRACY PINSONEAULT.)

Complainant,)

vs.)

No. PCB 03-38

THE WEALSHIRE, INC., an)
ILLINOIS CORPORATION.)

Respondent.)

NOTICE OF FILING

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 West Randolph Street
Chicago, IL 60601

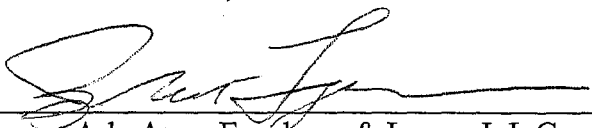
Mitchell S. Feinberg
Chuhak & Tecson, P.C.
30 South Wacker Drive
Suite 2600
Chicago, IL 60606

PLEASE TAKE NOTICE that on the 12/16 day of December, 2003, there was filed with the Illinois Pollution Control Board the following discovery pleadings of Respondent, copies of which are served herewith:

1. Interrogatories to Morry Gabel;
2. Interrogatories to Myra Gabel;
3. Interrogatories to Don Foreman;
4. Interrogatories to Marsha Foreman;
5. Interrogatories to Keith Pinsoneault;
6. Interrogatories to Tracy Pinsoneault;
7. Notice to Produce to all Complainants.

THE WEALSHIRE, INC.

Bruce T. Logan
Ash, Anos, Freedman & Logan, L.L.C.
77 West Washington Street
Chicago, IL 60602
312-346-1389
Attorneys for Respondent


By: Ash, Anos, Freedman & Logan, L.L.C.

AFFIDAVIT OF SERVICE

The undersigned, being first duly sworn on oath, deposes and says that she served the above and foregoing Notice of Filing and Interrogatories to Complainant, Morry Gabel, Interrogatories to Complainant, Myra Gabel, Interrogatories to Complainant, Don Foreman, Interrogatories to Complainant, Marsha Foreman, Interrogatories to Complainant, Keith Pinsoneault, Interrogatories to Complainant, Tracy Pinsoneault, and a Notice to Produce, by mailing a copy of each pleading to:

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, IL 60601
FAX 312-814-3669

Mitchell S. Feinberg
Chuhak & Tecson, P.C.
30 South Wacker Drive
Suite 2600
Chicago, IL 60606
FAX 312-444-9027

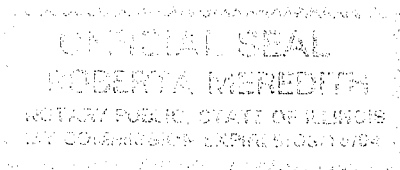
and depositing same in the U.S. Mail Chute at 77 West Washington Street, Chicago, Illinois 60602, at 5:00 P.M. on December 4, 2003, with proper postage prepaid.

Carol Dekoe

Subscribed and sworn to before me

this 4th day of December, 2003

Robertta Meredith
NOTARY PUBLIC



STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

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STATE OF ILLINOIS
POLLUTION CONTROL BOARD
100 W. RANDOLPH STREET, SUITE 11-500
CHICAGO, ILLINOIS 60601

STATE OF ILLINOIS
Pollution Control Board

MORRY GABEL, MYRA GABEL,)
DON FOREMAN, MARSHA FOREMAN,)
KEITH PINSONEAULT and TRACY PINSONEAULT.)

Complainant,)

vs.)

No. PCB 03-38

THE WEALSHIRE, INC., an)
ILLINOIS CORPORATION.)

Respondent.)

INTERROGATORIES TO COMPLAINANT,

MORRY GABEL

NOW COMES the Respondent, The Wealshire, Inc., by its Attorneys, Ash, Anos, Freedman & Logan, L.L.C., and propounds the following Interrogatories to the Complainant, **MORRY GABEL**, to be answered under oath, pursuant to the applicable rules of the Illinois Code of Civil Procedure and the Rules of the Illinois Supreme Court.

Definitions:

1. **Documents** - As used herein, the term "Documents" means and includes (without limitation and without regard to the form or manner of recording) any tangible thing producible, any correspondence, communications, instructions, intercorporate or interpersonal memoranda, notations, telegram wires, travel records, diary entries, appointment books, calendar pads, desk pads, telephone pads, brochures, pamphlets, notes, reports, summaries, directories, minutes, records, agreements, transcripts, reports, legal documents, billing records, invoices, drafts, attorney

and accountant invoices, time records, accounting work sheets, canceled checks, vouchers, check stubs, drawings, graphs, charts, photographs, recordings, facsimile transmissions, computer data held within the computer data banks in electronic or digital form, computer tapes and printouts, e-mail correspondence and e-mail attachments, Excel document, Access documents, and any other data compilations from which information can be obtained and translated, if necessary, through detection devices into a reasonably understandable form, which are in the possession of or control of the Complainant or Complainant's attorneys, agents, representatives, employees, and/or anyone acting in Complainant's behalf.

Where computer data is held within computer data banks in electronic or digital form, the request for documents includes the request that all such data falling within the request be printed in hard copy and produced.

2. **The Wealshire** - As used herein, "The Wealshire" shall refer to Alzheimer's care facility located at 150 Jamestown Lane, Lincolnshire, Illinois 60069.

Interrogatories:

1. State your full name, date of birth, social security number, and residence address.

ANSWER:

2. State the date you began your residency at your current address?

ANSWER:

3. What was the acquisition price of your current residence?

ANSWER:

4. Do you have any chart book, logbook, or notes, whether written, computerized, or digitized, of the dates, times, and duration of the claimed noise pollution? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

5. Have you or anyone in your behalf prepared or obtained an estimate for the cost of “relocating the Air Conditioner(s) to the opposite side” of The Wealshire? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

6. Have you or anyone in your behalf obtained plans and specifications (or, if a product by a specific manufacturer, the name of the manufacturer and the product designation) for any “sound barriers or other devices” that would “affirmatively reduce all noise violations to levels not in violation of current laws”? If your answer is in the affirmative, describe the nature of such sound barriers or other devices. If the information is in documentary or computer form, please produce same under the accompanying Notice to Produce.

ANSWER:

7. Does your residence have single pane, double pane, or triple pane windows on the south side of your unit?

ANSWER:

8. On what side of your residence unit is your bedroom located?

ANSWER:

9. During the hours of complaint, do you have your windows in your unit open or closed?

ANSWER:

10. Attached is a hand drawn map taken from the Complainants' expert report prepared by Greg Zak (herein "Map"). Note on the Map the location of the air conditioner compressor unit servicing your residence and note the distance in feet between your residence and your air conditioner compressor unit. Also note the location of your bedroom window by placing a "B" on the Map.

ANSWER:

11. With regard to any other air conditioning units in the area, including those in the Williamsburg Condominium complex, state if there are any within 150 ft. of your residence. If

there are, on the attached Map, note in hand their locations and the distance in feet between their locations and your residence.

ANSWER:

12. Are you aware of the modifications made by The Wealshire to its air conditioning chiller units? If your answer is in the affirmative, state what alternative measures you are aware of to further militate against any sound escaping from said chillers and the costs of such measures.

ANSWER:

13. Has your expert witness, Greg Zak, offered any alternative measures to reduce the decibel level from The Wealshire's air conditioning chiller units? If your answer is in the affirmative, disclose the measures and state the estimated cost of implementing such measures. In further answering, state if any inquiry has been made by yourself or Mr. Zak to the manufacturer, Trane, as to whether his proposed modifications are acceptable to Trane.

ANSWER:

14 Identity by name and address all witnesses who will testify at trial, and provide the following information:

- (a) Identify all "lay witnesses", the subject matter on which each will testify, and disclose the facts known by and the opinions held by each witness.

ANSWER:

15 Identify each "independent expert witness" and the subject matter on which the witness will testify and the opinions you expect to elicit. In doing so, state the facts known by the witnesses and the opinions held by the said witnesses.

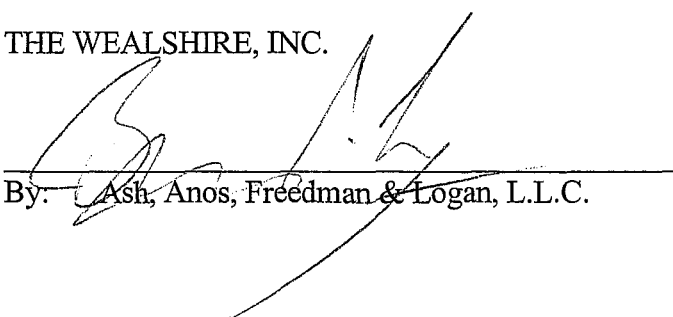
ANSWER:

16 Identify each "controlled expert witness" and in doing so, identify:

- (i) The subject matter on which each witness will testify;
- (ii) The conclusions and opinions of each witness and the bases therefore;
- (iii) The qualifications of each witness; and
- (iv) Any reports prepared by each witness about the case and produce any reports prepared by each witness about the case.

ANSWER:

THE WEALSHIRE, INC.

By:  _____
Ash, Anos, Freedman & Logan, L.L.C.

Bruce T. Logan
Ash, Anos, Freedman & Logan, L.L.C.
77 West Washington Street
Chicago, IL 60602
312-346-1389
Attorneys for Respondent

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

STATE OF ILLINOIS
POLLUTION CONTROL BOARD
100 W. RANDOLPH STREET, SUITE 11-500
CHICAGO, ILLINOIS 60601

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Complainant,)
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vs.)
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THE WEALSHIRE, INC., an)
ILLINOIS CORPORATION.)
)
Respondent.)
)
)
)
)

No. PCB 03-38

INTERROGATORIES TO COMPLAINANT,

MYRA GABEL

NOW COMES the Respondent, The Wealshire, Inc., by its Attorneys, Ash, Anos, Freedman & Logan, L.L.C., and propounds the following Interrogatories to the Complainant, **MYRA GABEL**, to be answered under oath, pursuant to the applicable rules of the Illinois Code of Civil Procedure and the Rules of the Illinois Supreme Court.

Definitions:

1. **Documents** - As used herein, the term "Documents" means and includes (without limitation and without regard to the form or manner of recording) any tangible thing producible, any correspondence, communications, instructions, intercorporate or interpersonal memoranda, notations, telegram wires, travel records, diary entries, appointment books, calendar pads, desk pads, telephone pads, brochures, pamphlets, notes, reports, summaries, directories, minutes, records, agreements, transcripts, reports, legal documents, billing records, invoices, drafts, attorney

and accountant invoices, time records, accounting work sheets, canceled checks, vouchers, check stubs, drawings, graphs, charts, photographs, recordings, facsimile transmissions, computer data held within the computer data banks in electronic or digital form, computer tapes and printouts, e-mail correspondence and e-mail attachments, Excel document, Access documents, and any other data compilations from which information can be obtained and translated, if necessary, through detection devices into a reasonably understandable form, which are in the possession of or control of the Complainant or Complainant's attorneys, agents, representatives, employees, and/or anyone acting in Complainant's behalf.

Where computer data is held within computer data banks in electronic or digital form, the request for documents includes the request that all such data falling within the request be printed in hard copy and produced.

2. **The Wealshire** - As used herein, "The Wealshire" shall refer to Alzheimer's care facility located at 150 Jamestown Lane, Lincolnshire, Illinois 60069.

Interrogatories:

1. State your full name, date of birth, social security number, and residence address.

ANSWER:

2. State the date you began your residency at your current address?

ANSWER:

3. What was the acquisition price of your current residence?

ANSWER:

4. Do you have any chart book, logbook, or notes, whether written, computerized, or digitized, of the dates, times, and duration of the claimed noise pollution? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

5. Have you or anyone in your behalf prepared or obtained an estimate for the cost of “relocating the Air Conditioner(s) to the opposite side” of The Wealshire? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

6. Have you or anyone in your behalf obtained plans and specifications (or, if a product by a specific manufacturer, the name of the manufacturer and the product designation) for any “sound barriers or other devices” that would “affirmatively reduce all noise violations to levels not in violation of current laws”? If your answer is in the affirmative, describe the nature of such sound barriers or other devices. If the information is in documentary or computer form, please produce same under the accompanying Notice to Produce.

ANSWER:

7. Does your residence have single pane, double pane, or triple pane windows on the south side of your unit?

ANSWER:

8. On what side of your residence unit is your bedroom located?

ANSWER:

9. During the hours of complaint, do you have your windows in your unit open or closed?

ANSWER:

10. Attached is a hand drawn map taken from the Complainants' expert report prepared by Greg Zak (herein "Map"). Note on the Map the location of the air conditioner compressor unit servicing your residence and note the distance in feet between your residence and your air conditioner compressor unit. Also note the location of your bedroom window by placing a "B" on the Map.

ANSWER:

11. With regard to any other air conditioning units in the area, including those in the Williamsburg Condominium complex, state if there are any within 150 ft. of your residence. If

there are, on the attached Map, note in hand their locations and the distance in feet between their locations and your residence.

ANSWER:

12. Are you aware of the modifications made by The Wealshire to its air conditioning chiller units? If your answer is in the affirmative, state what alternative measures you are aware of to further militate against any sound escaping from said chillers and the costs of such measures.

ANSWER:

13. Has your expert witness, Greg Zak, offered any alternative measures to reduce the decibel level from The Wealshire's air conditioning chiller units? If your answer is in the affirmative, disclose the measures and state the estimated cost of implementing such measures. In further answering, state if any inquiry has been made by yourself or Mr. Zak to the manufacturer, Trane, as to whether his proposed modifications are acceptable to Trane.

ANSWER:

14 Identify by name and address all witnesses who will testify at trial, and provide the following information:

- (a) Identify all "lay witnesses", the subject matter on which each will testify, and disclose the facts known by and the opinions held by each witness.

ANSWER:

15 Identify each "independent expert witness" and the subject matter on which the witness will testify and the opinions you expect to elicit. In doing so, state the facts known by the witnesses and the opinions held by the said witnesses.

ANSWER:

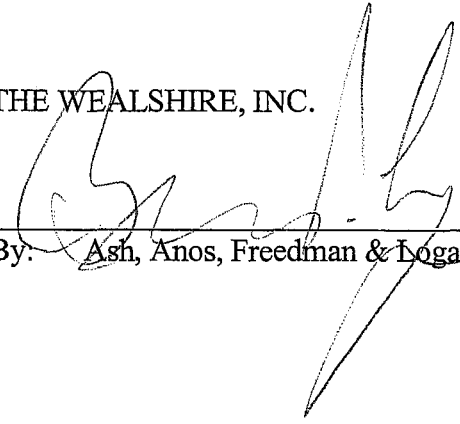
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- (i) The subject matter on which each witness will testify;
- (ii) The conclusions and opinions of each witness and the bases therefore;
- (iii) The qualifications of each witness; and

(iv) Any reports prepared by each witness about the case and produce any reports prepared by each witness about the case.

ANSWER:

THE WEALSHIRE, INC.

By: 
Ash, Anos, Freedman & Logan, L.L.C.

Bruce T. Logan
Ash, Anos, Freedman & Logan, L.L.C.
77 West Washington Street
Chicago, IL 60602
312-346-1389
Attorneys for Respondent

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

STATE OF ILLINOIS
POLLUTION CONTROL BOARD
100 W. RANDOLPH STREET, SUITE 11-500
CHICAGO, ILLINOIS 60601

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Pollution Control Board

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DON FOREMAN, MARSHA FOREMAN,)
KEITH PINSONEAULT and TRACY PINSONEAULT.)

Complainant,)

vs.)

No. PCB 03-38

THE WEALSHIRE, INC., an)
ILLINOIS CORPORATION.)

Respondent.)

INTERROGATORIES TO COMPLAINANT,

DON FOREMAN

NOW COMES the Respondent, The Wealshire, Inc., by its Attorneys, Ash, Anos, Freedman & Logan, L.L.C., and propounds the following Interrogatories to the Complainant, **DON FOREMAN**, to be answered under oath, pursuant to the applicable rules of the Illinois Code of Civil Procedure and the Rules of the Illinois Supreme Court.

Definitions:

1. **Documents** - As used herein, the term "Documents" means and includes (without limitation and without regard to the form or manner of recording) any tangible thing producible, any correspondence, communications, instructions, intercorporate or interpersonal memoranda, notations, telegram wires, travel records, diary entries, appointment books, calendar pads, desk pads, telephone pads, brochures, pamphlets, notes, reports, summaries, directories, minutes, records, agreements, transcripts, reports, legal documents, billing records, invoices, drafts, attorney

and accountant invoices, time records, accounting work sheets, canceled checks, vouchers, check stubs, drawings, graphs, charts, photographs, recordings, facsimile transmissions, computer data held within the computer data banks in electronic or digital form, computer tapes and printouts, e-mail correspondence and e-mail attachments, Excel document, Access documents, and any other data compilations from which information can be obtained and translated, if necessary, through detection devices into a reasonably understandable form, which are in the possession of or control of the Complainant or Complainant's attorneys, agents, representatives, employees, and/or anyone acting in Complainant's behalf.

Where computer data is held within computer data banks in electronic or digital form, the request for documents includes the request that all such data falling within the request be printed in hard copy and produced.

2. **The Wealshire** - As used herein, "The Wealshire" shall refer to Alzheimer's care facility located at 150 Jamestown Lane, Lincolnshire, Illinois 60069.

Interrogatories:

1. State your full name, date of birth, social security number, and residence address.

ANSWER:

2. State the date you began your residency at your current address?

ANSWER:

3. What was the acquisition price of your current residence?

ANSWER:

4. Do you have any chart book, logbook, or notes, whether written, computerized, or digitized, of the dates, times, and duration of the claimed noise pollution? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

5. Have you or anyone in your behalf prepared or obtained an estimate for the cost of “relocating the Air Conditioner(s) to the opposite side” of The Wealshire? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

6. Have you or anyone in your behalf obtained plans and specifications (or, if a product by a specific manufacturer, the name of the manufacturer and the product designation) for any “sound barriers or other devices” that would “affirmatively reduce all noise violations to levels not in violation of current laws”? If your answer is in the affirmative, describe the nature of such sound barriers or other devices. If the information is in documentary or computer form, please produce same under the accompanying Notice to Produce.

ANSWER:

7. Does your residence have single pane, double pane, or triple pane windows on the south side of your unit?

ANSWER:

8. On what side of your residence unit is your bedroom located?

ANSWER:

9. During the hours of complaint, do you have your windows in your unit open or closed?

ANSWER:

10. Attached is a hand drawn map taken from the Complainants' expert report prepared by Greg Zak (herein "Map"). Note on the Map the location of the air conditioner compressor unit servicing your residence and note the distance in feet between your residence and your air conditioner compressor unit. Also note the location of your bedroom window by placing a "B" on the Map.

ANSWER:

11. With regard to any other air conditioning units in the area, including those in the Williamsburg Condominium complex, state if there are any within 150 ft. of your residence. If

there are, on the attached Map, note in hand their locations and the distance in feet between their locations and your residence.

ANSWER:

12. Are you aware of the modifications made by The Wealshire to its air conditioning chiller units? If your answer is in the affirmative, state what alternative measures you are aware of to further militate against any sound escaping from said chillers and the costs of such measures.

ANSWER:

13. Has your expert witness, Greg Zak, offered any alternative measures to reduce the decibel level from The Wealshire's air conditioning chiller units? If your answer is in the affirmative, disclose the measures and state the estimated cost of implementing such measures. In further answering, state if any inquiry has been made by yourself or Mr. Zak to the manufacturer, Trane, as to whether his proposed modifications are acceptable to Trane.

ANSWER:

14 Identify by name and address all witnesses who will testify at trial, and provide the following information:

- (a) Identify all "lay witnesses", the subject matter on which each will testify, and disclose the facts known by and the opinions held by each witness.

ANSWER:

15 Identify each “independent expert witness” and the subject matter on which the witness will testify and the opinions you expect to elicit. In doing so, state the facts known by the witnesses and the opinions held by the said witnesses.

ANSWER:

16 Identify each “controlled expert witness” and in doing so, identify:

- (i) The subject matter on which each witness will testify;
- (ii) The conclusions and opinions of each witness and the bases therefore;
- (iii) The qualifications of each witness; and
- (iv) Any reports prepared by each witness about the case and produce any reports prepared by each witness about the case.

ANSWER:

THE WEALSHIRE, INC.

By: 
Ash, Anos, Freedman & Logan, L.L.C.

Bruce T. Logan
Ash, Anos, Freedman & Logan, L.L.C.
77 West Washington Street
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Attorneys for Respondent

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Complainant,)

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THE WEALSHIRE, INC., an)
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Respondent.)

INTERROGATORIES TO COMPLAINANT,

MARSHA FOREMAN

NOW COMES the Respondent, The Wealshire, Inc., by its Attorneys, Ash, Anos, Freedman & Logan, L.L.C., and propounds the following Interrogatories to the Complainant, **MARSHA FOREMAN**, to be answered under oath, pursuant to the applicable rules of the Illinois Code of Civil Procedure and the Rules of the Illinois Supreme Court.

Definitions:

1. **Documents** - As used herein, the term "Documents" means and includes (without limitation and without regard to the form or manner of recording) any tangible thing producible, any correspondence, communications, instructions, intercorporate or interpersonal memoranda, notations, telegram wires, travel records, diary entries, appointment books, calendar pads, desk pads, telephone pads, brochures, pamphlets, notes, reports, summaries, directories, minutes, records, agreements, transcripts, reports, legal documents, billing records, invoices, drafts, attorney

and accountant invoices, time records, accounting work sheets, canceled checks, vouchers, check stubs, drawings, graphs, charts, photographs, recordings, facsimile transmissions, computer data held within the computer data banks in electronic or digital form, computer tapes and printouts, e-mail correspondence and e-mail attachments, Excel document, Access documents, and any other data compilations from which information can be obtained and translated, if necessary, through detection devices into a reasonably understandable form, which are in the possession of or control of the Complainant or Complainant's attorneys, agents, representatives, employees, and/or anyone acting in Complainant's behalf.

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2. **The Wealshire** - As used herein, "The Wealshire" shall refer to Alzheimer's care facility located at 150 Jamestown Lane, Lincolnshire, Illinois 60069.

Interrogatories:

1. State your full name, date of birth, social security number, and residence address.

ANSWER:

2. State the date you began your residency at your current address?

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3. What was the acquisition price of your current residence?

ANSWER:

4. Do you have any chart book, logbook, or notes, whether written, computerized, or digitized, of the dates, times, and duration of the claimed noise pollution? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

5. Have you or anyone in your behalf prepared or obtained an estimate for the cost of “relocating the Air Conditioner(s) to the opposite side” of The Wealshire? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

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ANSWER:

7. Does your residence have single pane, double pane, or triple pane windows on the south side of your unit?

ANSWER:

8. On what side of your residence unit is your bedroom located?

ANSWER:

9. During the hours of complaint, do you have your windows in your unit open or closed?

ANSWER:

10. Attached is a hand drawn map taken from the Complainants' expert report prepared by Greg Zak (herein "Map"). Note on the Map the location of the air conditioner compressor unit servicing your residence and note the distance in feet between your residence and your air conditioner compressor unit. Also note the location of your bedroom window by placing a "B" on the Map.

ANSWER:

11. With regard to any other air conditioning units in the area, including those in the Williamsburg Condominium complex, state if there are any within 150 ft. of your residence. If

there are, on the attached Map, note in hand their locations and the distance in feet between their locations and your residence.

ANSWER:

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ANSWER:

13. Has your expert witness, Greg Zak, offered any alternative measures to reduce the decibel level from The Wealshire's air conditioning chiller units? If your answer is in the affirmative, disclose the measures and state the estimated cost of implementing such measures. In further answering, state if any inquiry has been made by yourself or Mr. Zak to the manufacturer, Trane, as to whether his proposed modifications are acceptable to Trane.

ANSWER:

14 Identity by name and address all witnesses who will testify at trial, and provide the following information:

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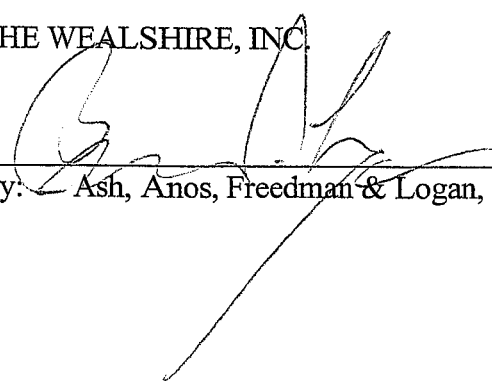
ANSWER:

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ANSWER:

THE WEALSHIRE, INC.

By: 
Ash, Anos, Freedman & Logan, L.L.C.

Bruce T. Logan
Ash, Anos, Freedman & Logan, L.L.C.
77 West Washington Street
Chicago, IL 60602
312-346-1389
Attorneys for Respondent

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MORRY GABEL, MYRA GABEL,)
DON FOREMAN, MARSHA FOREMAN,)
KEITH PINSONEAULT and TRACY PINSONEAULT.)

Complainant,)

vs.)

No. PCB 03-38

THE WEALSHIRE, INC., an)
ILLINOIS CORPORATION.)

Respondent.)

INTERROGATORIES TO COMPLAINANT,

KEITH PINSONEAULT

NOW COMES the Respondent, The Wealshire, Inc., by its Attorneys, Ash, Anos, Freedman & Logan, L.L.C., and propounds the following Interrogatories to the Complainant, **KEITH PINSONEAULT**, to be answered under oath, pursuant to the applicable rules of the Illinois Code of Civil Procedure and the Rules of the Illinois Supreme Court.

Definitions:

1. **Documents** - As used herein, the term "Documents" means and includes (without limitation and without regard to the form or manner of recording) any tangible thing producible, any correspondence, communications, instructions, intercorporate or interpersonal memoranda, notations, telegram wires, travel records, diary entries, appointment books, calendar pads, desk pads, telephone pads, brochures, pamphlets, notes, reports, summaries, directories, minutes, records, agreements, transcripts, reports, legal documents, billing records, invoices, drafts, attorney

and accountant invoices, time records, accounting work sheets, canceled checks, vouchers, check stubs, drawings, graphs, charts, photographs, recordings, facsimile transmissions, computer data held within the computer data banks in electronic or digital form, computer tapes and printouts, e-mail correspondence and e-mail attachments, Excel document, Access documents, and any other data compilations from which information can be obtained and translated, if necessary, through detection devices into a reasonably understandable form, which are in the possession of or control of the Complainant or Complainant's attorneys, agents, representatives, employees, and/or anyone acting in Complainant's behalf.

Where computer data is held within computer data banks in electronic or digital form, the request for documents includes the request that all such data falling within the request be printed in hard copy and produced.

2. **The Wealshire** - As used herein, "The Wealshire" shall refer to Alzheimer's care facility located at 150 Jamestown Lane, Lincolnshire, Illinois 60069.

Interrogatories:

1. State your full name, date of birth, social security number, and residence address.

ANSWER:

2. State the date you began your residency at your current address?

ANSWER:

3. What was the acquisition price of your current residence?

ANSWER:

4. Do you have any chart book, logbook, or notes, whether written, computerized, or digitized, of the dates, times, and duration of the claimed noise pollution? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

5. Have you or anyone in your behalf prepared or obtained an estimate for the cost of “relocating the Air Conditioner(s) to the opposite side” of The Wealshire? If your answer is in the affirmative, please produce same under the accompanying Notice to Produce.

ANSWER:

6. Have you or anyone in your behalf obtained plans and specifications (or, if a product by a specific manufacturer, the name of the manufacturer and the product designation) for any “sound barriers or other devices” that would “affirmatively reduce all noise violations to levels not in violation of current laws”? If your answer is in the affirmative, describe the nature of such sound barriers or other devices. If the information is in documentary or computer form, please produce same under the accompanying Notice to Produce.

ANSWER:

7. Does your residence have single pane, double pane, or triple pane windows on the south side of your unit?

ANSWER:

8. On what side of your residence unit is your bedroom located?

ANSWER:

9. During the hours of complaint, do you have your windows in your unit open or closed?

ANSWER:

10. Attached is a hand drawn map taken from the Complainants' expert report prepared by Greg Zak (herein "Map"). Note on the Map the location of the air conditioner compressor unit servicing your residence and note the distance in feet between your residence and your air conditioner compressor unit. Also note the location of your bedroom window by placing a "B" on the Map.

ANSWER:

11. With regard to any other air conditioning units in the area, including those in the Williamsburg Condominium complex, state if there are any within 150 ft. of your residence. If

there are, on the attached Map, note in hand their locations and the distance in feet between their locations and your residence.

ANSWER:

12. Are you aware of the modifications made by The Wealshire to its air conditioning chiller units? If your answer is in the affirmative, state what alternative measures you are aware of to further militate against any sound escaping from said chillers and the costs of such measures.

ANSWER:

13. Has your expert witness, Greg Zak, offered any alternative measures to reduce the decibel level from The Wealshire's air conditioning chiller units? If your answer is in the affirmative, disclose the measures and state the estimated cost of implementing such measures. In further answering, state if any inquiry has been made by yourself or Mr. Zak to the manufacturer, Trane, as to whether his proposed modifications are acceptable to Trane.

ANSWER:

14 Identity by name and address all witnesses who will testify at trial, and provide the following information:

- (a) Identify all "lay witnesses", the subject matter on which each will testify, and disclose the facts known by and the opinions held by each witness.

ANSWER:

15 Identify each "independent expert witness" and the subject matter on which the witness will testify and the opinions you expect to elicit. In doing so, state the facts known by the witnesses and the opinions held by the said witnesses.

ANSWER:

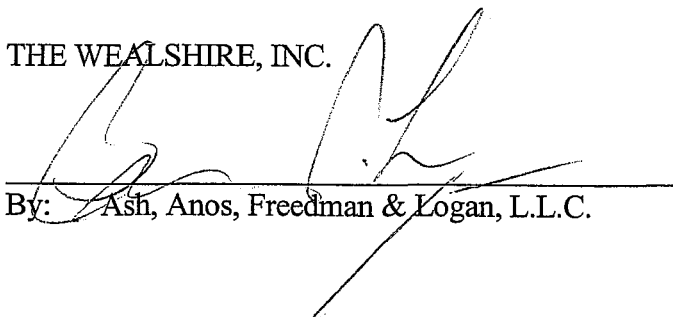
16 Identify each "controlled expert witness" and in doing so, identify:

- (i) The subject matter on which each witness will testify;
- (ii) The conclusions and opinions of each witness and the bases therefore;
- (iii) The qualifications of each witness; and

(iv) Any reports prepared by each witness about the case and produce any reports prepared by each witness about the case.

ANSWER:

THE WEALSHIRE, INC.

By: 
Ash, Anos, Freedman & Logan, L.L.C.

Bruce T. Logan
Ash, Anos, Freedman & Logan, L.L.C.
77 West Washington Street
Chicago, IL 60602
312-346-1389
Attorneys for Respondent

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STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

STATE OF ILLINOIS
Pollution Control Board

STATE OF ILLINOIS
POLLUTION CONTROL BOARD
100 W. RANDOLPH STREET, SUITE 11-500
CHICAGO, ILLINOIS 60601

MORRY GABEL, MYRA GABEL,)
DON FOREMAN, MARSHA FOREMAN,)
KEITH PINSONEAULT and TRACY PINSONEAULT.)

Complainant,)

vs.)

No. PCB 03-38

THE WEALSHIRE, INC., an)
ILLINOIS CORPORATION.)

Respondent.)

INTERROGATORIES TO COMPLAINANT,

TRACY PINSONEAULT

NOW COMES the Respondent, The Wealshire, Inc., by its Attorneys, Ash, Anos, Freedman & Logan, L.L.C., and propounds the following Interrogatories to the Complainant, **TRACY PINSONEAULT**, to be answered under oath, pursuant to the applicable rules of the Illinois Code of Civil Procedure and the Rules of the Illinois Supreme Court.

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and accountant invoices, time records, accounting work sheets, canceled checks, vouchers, check stubs, drawings, graphs, charts, photographs, recordings, facsimile transmissions, computer data held within the computer data banks in electronic or digital form, computer tapes and printouts, e-mail correspondence and e-mail attachments, Excel document, Access documents, and any other data compilations from which information can be obtained and translated, if necessary, through detection devices into a reasonably understandable form, which are in the possession of or control of the Complainant or Complainant's attorneys, agents, representatives, employees, and/or anyone acting in Complainant's behalf.

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- (iv) Any reports prepared by each witness about the case and produce any reports prepared by each witness about the case.

ANSWER:

THE WEALSHIRE, INC.

By  _____
Ash, Anos, Freedman & Logan, L.L.C.

Bruce T. Logan
Ash, Anos, Freedman & Logan, L.L.C.
77 West Washington Street
Chicago, IL 60602
312-346-1389
Attorneys for Respondent