

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

Anna Andrushko, Complainant vs Thomas Egan, Respondent

SECOND MOTION TO COMPEL DISCOVERY AND SANCTIONS

Now Comes, Complainant, Ms. Anna Andrushko, request that the Hearing Officer overrule the objections, compel Respondent, Mr. Thomas E Egan, answer to the interrogatories (or the proposed amended ones), and order sanctions for the repeated, unfounded objections that necessitated multiple motions to compel.

On **June 04, 2024**, Complainant's Original Interrogatories to Respondent were served. On **August 08, 2024**, the first set of deficient responses was received by Respondent, Thomas E. Egan.

On **November 18, 2024**, Complainant's Motion to Compel was served. On **December 30, 2024**, Motion to Compel was received from Respondent.

The IPCB Hearing Officer on **August 28, 2025**, ordered the Respondent to answer questions Under the **Illinois Supreme Court Rule 213(c)**, which governs the nature of a response to an interrogatory. The rule mandates that answers shall be "full and complete" and shall be answered "separately and fully in writing under oath."

**3. (g) Where did you acquire the dog? What facility, shelter, or owner?
Please state facility, shelter and location. Provide a License of the facility or Business License.**

Respondent's First Answer: May 29, 2025, Thomas E. Egan is the original owner of the dog. The dog was purchased from Mr. Patrick Biro, who now lives in France.

Respondent's Second Answer: September 22, 2025, Thomas E. Egan is the original owner of the dog. The dog was purchased from Mr. Patrick Biro, who now lives in France. Respondent does not have a license of the facility.

Complainant's Argument: Same response. Order by IPCB on August 28, 2025. This is a clear failure to answer. Evades question. The complainant expects a full and complete answer.

Respondent first stated (3. e) the dog was 'Purchased from breeder' on **August 8, 2024**. Neither answer provides the full information requested: the **name and location** of the breeding **facility/shelter** or the required **license/business license**.

The current answer, which points to an individual in France, is not responsive to the request for a **facility, shelter, location, and license**. If the dog was acquired directly from a licensed facility or a registered breeder in Illinois, that information should be readily available. If Mr. Egan claims it was a

private party sale, Mr. Egan must state that specifically under oath, and then state whether the dog was purchased as a puppy or an older dog, as this may be relevant to the duration of the noise issue.

Complainant's Argument: I will clarify the original question above.

3. (g) (Revised) Ms. Andrushko rephrases and clarifies the question and asks the Board to compel the following, stating that the current answers are insufficient:

- The “**full name**” of the **individual** OR entity who bred the dog, or the broker (if the seller was a broker between the seller and buyer).
- The “**address**” of the individual or entity who bred the dog, or the broker.
- The **full name and physical location (address)** of the facility, shelter, or business where the dog was acquired, regardless of who handled the transaction.
- Any and all documents related to the sale/acquisition of the dog, including, but not limited to, a bill of sale, adoption records, or registration papers (which would typically contain the breeder/facility's information).
- If the dog was acquired from a non-licensed individual (a private sale), the respondent must state this explicitly under oath.

3. (o) Characteristics of the dog influenced by breeding for specific purposes and behavioral tendencies and temperaments:

**What is the breed group? Sporting, Hound, Terrier, Working, Toy, Non-Sporting, Herding?
Please explain.**

What is the adaptability? Suited for what environment or lifestyle? Apartment living or active outdoor adventures? Please explain.

Respondent's First Answer: May 29, 2025, The dog is a terrier. They like to go outside.

Respondent's Second Answer: September 22, 2025, the dog is a terrier. They like to go outside. Any information as to the adaptability of the dog's breeding group is just as available to Petitioner as it is to Respondent.

Complainant's Second Argument: Same response. Order by IPCB on August 28, 2025. This is a clear failure to answer. Response is Insufficient. Deliberate evasions of the question. The complainant expects a full and complete answer.

The requested information on temperament and adaptability is not just generic breed information; it establishes the owner's responsibility to manage a high-energy, vocal breed. The owner's failure to provide details on how they are meeting these specific breed needs (beyond "they like to go outside") is evidence that Mr. Egan is not adequately addressing the root cause of the noise.

The response, "The dog is a terrier. They like to go outside," fails to explain the **Terrier breed group's purpose** as requested and does not explain the suitability for their current environment based

on the dog's energy level. The claim that the information is "just as available to Petitioner" is an improper objection that ignores the fact that **Ms. Andrushko is asking for the owner's knowledge, interpretation, and application of that information** to their specific dog and living situation.

The Respondent to answer with specifics about the dog's daily routine, e.g., "What is the dog's typical daily exercise and mental stimulation routine (duration, activity type, location)?" and "Explain how the 'Irish Terrier' temperament is managed in your specific living environment to prevent nuisance behaviors."

The respondent's statement that the dog "likes to go outside" is insufficient to demonstrate that the dog's high exercise and mental needs are being adequately met to prevent the manifestation of breed-specific nuisance behaviors, such as barking due to boredom or lack of stimulation.

5. Have you consulted your vet or trainer about continued behavior of your dog barking when you continue to face issues? Please provide documentation. Please explain.

Respondent's First Answer: May 29, 2025, No.

Respondent's Second Answer: September 22, 2025, No.

Complainant's Argument: Same response. Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. Insufficient explanation. The complainant expects a full and complete answer.

The third part of the question is, "Please explain," is answered by the simple "No," as there is no consultation to explain. By answering "No," Mr. Egan is compelled to explain **why** he has NOT sought professional help for a problem allegedly continue to face issues.

The interrogatory is relevant to the Respondent's **mitigation efforts** and the overall **reasonableness of the noise violation**. The simple 'No' answer is a refusal to address the '**Please explain**' component. The explanation of *why* no consultation has occurred for a persistent nuisance is critical to determining if the Respondent has taken all reasonable steps to abate the nuisance, which is a key factor in a noise violation case.

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

Respondent's First Answer: May 29, 2025, Yes, the dog is provided with basic health and welfare along with adequate food, water, shelter, yard space, and companionship. Yes, the dog is kept in a fenced-in yard.

Respondent's Second Answer: September 22, 2025, Yes, the dog is provided with basic health and welfare along with adequate food, water, shelter, yard space, and companionship. Yes, the dog is kept in a fenced-in yard.

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Complainant's Argument: Same response. Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. Response is vague. Deficiency in question. The complainant expects full and complete answer.

9 (a) Ms. Andrushko rephrases and clarifies the question and asks the Board to compel the following, stating that the current answers are insufficient:

Provide Specific facts (**provide list**) regarding the care Mr. Egan claims to provide.

- **Food:** Specify the type of food, amount, and feeding schedule. (e.g., "What specific food brand is the dog fed, how much, and at what times of day?")
- **Water:** Specify the source and frequency of replenishment. (e.g., "Where is the dog's water source located, and how often is it checked/refilled?")
- **Shelter:** Describe the shelter's location and structure. (e.g., "Describe the dog's shelter, including its size, material, and whether it is an enclosed structure or access to the house.")
- **Companionship/Exercise:** Detail the frequency and duration of interaction/walks. (e.g., "How many hours per day is the dog left alone, and how many times per day is the dog walked or given dedicated human interaction outside of feeding?")

9 (b). To avoid your dog from excessive barking, how do you keep things interesting for your dog? Do you provide plenty of chew toys for your dog to play with? Raw bones, toys, chew ropes, etc.? Provide documentation.

Respondent's First Answer: May 29, 2025, I do not leave the dog outside alone and I bring him in when he barks at critters.

Respondent's Second Answer: September 22, 2025: Respondent omitted a response.

Complainant's Argument: Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. Response evades question. The complainant expects full and complete answer.

Respondent's first Answer on May 29, 2025, "I do not leave the dog outside alone and I bring him in when he barks at critters." This is also non-responsive to the question about enriching the dog's environment with toys, bones, ropes, and other items. While it speaks to *supervision*, it completely ignores the part of the question related to *enrichment*, which is a recognized method for **reducing boredom and, consequently, barking.**

The question is relevant because it seeks to discover if Mr. Egan is taking **reasonable, established steps to mitigate the noise** "at the source or root cause" (boredom/lack of enrichment), which directly relates to the underlying nuisance.

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Complainant, Ms. Andrushko seeks this information to determine the extent to which the Respondent, Mr. Egan, is employing **standard, non-bark-reducing management techniques**, such as environmental enrichment, to mitigate the noise nuisance."

The presence or absence of these items is relevant to whether the Respondent is taking **all reasonable steps** to control the barking noise at the source.

9 (c). Do you teach boundaries? Please explain. Provide documentation.

Respondent's First Answer: May 25, 2025, The dog loves to fetch tennis balls.

Respondent's Second Answer: September 22, 2025, Respondent omitted a response.

Complainant's Argument: Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. The respondent's answers are **evasive and non-responsive** and constitute a willful failure to participate in the discovery process.

This question seeks information about the steps Mr. Egan has taken to mitigate the noise pollution caused by his dog, the Irish terrier. Boundary training, vocal training, or other behavioral interventions are direct forms of control over the dog's behavior, which is the source of the alleged violation.

The answer is relevant because it concerns the Respondent's control over the noise source and his attempts (or lack thereof) to prevent the alleged violations. This goes to the heart of whether Mr. Egan is making a good-faith effort to comply with the noise regulations.

9 (d). 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 excessive barking behavior during the day that will disturb the neighbors?

Respondent's First Answer: May 25, 2025: The dog is barking because of cats and squirrels. I provide exercise by taking him to the dog park.

Respondent's Second Answer: September 22, 2025, Respondent omitted a response.

Complainant's Argument: Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. Response evades question. Non-compliance. The complainant expects a full and complete answer.

This is the second time seeking an order compelling an answer to this same, relevant question. This establishes a pattern of willful non-compliance with the discovery process and the Hearing Officer's prior ruling.

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This question seeks information about the Respondent's mitigation efforts, which is highly relevant to the ultimate issue of whether Mr. Egan and his dog are causing a noise violation and/or if Mr. Egan has taken reasonable steps to abate the problem.

Respondent's First Answer, May 25, 2025, "**The dog is barking because of cats and squirrels.**" Mr. Egan acknowledges a cause.

Mr. Egan states: "**I provide exercise by taking him to the dog park.**" While exercise can be a mitigation technique, it doesn't address the specific, daytime, at-home measures Ms. Andrushko asked about, and more importantly, it doesn't answer the question about the enumerated steps: doggie door, muzzles, electronic collars, landscape, etc., *taken to eliminate excessive barking behavior during the day that will disturb the neighbors*).

"Respondent's answer that 'The dog is barking because of cats and squirrels. I provide exercise by taking him to the dog park is incomplete and non-responsive. While it addresses *why* the dog may bark (the trigger), it **fails entirely to address the core inquiry** of this highly relevant interrogatory: **What specific steps have been taken to resolve the barking and eliminate the excessive behavior**, as exemplified by the list of measures such as muzzles, collars, or landscape changes. The Respondent has failed to disclose any active, specific, and permanent abatement efforts beyond taking the dog off-premises, which does not address the alleged noise violation occurring at home.

9 (e). What stimulation do you have available in your yard to keep your dog occupied outside to avoid or limit barking?

Respondent's Second Answer: May 25, 2025: I do not leave the dog alone outside or isolated and I am usually home with the dog on a daily basis.

Respondent's Second Answer: September 22, 2025, Respondent omitted a response.

Complainant's Argument: Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. Response evades question. The complainant expects a full and complete answer. Respondent's answer is non-responsive to the interrogatory.

This is the second time seeking an order compelling an answer to this same, relevant question. This establishes a pattern of willful non-compliance with the discovery process and the Hearing Officer's prior ruling.

The question seeks information regarding the **physical items, toys, objects, activities, or training methods** used in the yard to occupy the dog (i.e., '**What stimulation do you have available...**')."

The provided answer by Mr. Egan only addresses the presence of the Respondent in the yard ('**I am usually home...**') and fails entirely to identify any 'stimulation' or 'means of occupying' the dog, which is the direct subject of the question."

Whether the Respondent is present or not, a dog can still be engaged by toys, treat puzzles, bones, agility equipment, or other objects designed to minimize boredom and subsequent nuisance

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barking. The question is designed to discover what measures are *available* and *used* by the Respondent to mitigate the noise violation. The answer provides no such information.

9 (f). Complainant's Argument: Question Withdrawn

9 (g). Do you isolate your dog in our backyard with no human interaction? This practice can lead to dog barking. Please explain.

Respondent's First Answer: May 25, 2025, Respondent Omitted a response.

Respondent's Second Answer: September 22, 2025, Respondent Omitted a response.

Complainant's Argument: Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. Response is non responsive. The Respondent did not answer at all. The complainant expects a full and complete answer.

This is the second time seeking an order compelling an answer to this same, relevant question. This establishes a pattern of willful non-compliance with the discovery process and the Hearing Officer's prior ruling.

State that the question seeks facts regarding the **cause, nature, and extent** of the alleged noise violation. Explain that whether the dog is left alone and isolated is a highly relevant fact to determine the reason for the excessive barking and Mr. Egan's control over the noise-producing activity.

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 after May 01, 2020, Cease and Desist letter Mr. Egan received to include any facts and documents upon which you intend to rely upon in support of any defense.

Respondent's Answer: September 22, 2025, I have never once driven past the complainant and blown my horn. Objection as to the form of the question as it is unclear, vague, grammatically nonsensical and calls for a narrative answer more appropriately addressed in a deposition.

Complainant's Argument: I will clarify the original question above.

11. (Revised) Ms. Andrushko rephrases and clarifies the question and asks the Board to compel the following, stating that the current answers are insufficient:

11. (a). State every date and time, since May 1, 2020 (Date Mr. Egan received Cease and Desist letter warning of noise violations and the new dog barking violation not addressed in the Cease-and-Desist Letter), on which you contend your dog did NOT bark in violation of 35 Ill. Adm. Code 901 (or any other applicable noise regulation) in response to or in the presence of the Complainant.

11. (b). Identify and state the substance (who, what, where, when) of all facts that support your defense that the noise described in the Complaint (including music, honking, or dog barking) did not occur after May 1, 2020, or that any such noise did not constitute a violation of Illinois noise regulations.

13. Please describe in detail the circumstances under which your dog barks. Include, but are not limited to:

(b.) Frequency of dog barking?

Respondent's First Answer: May 29, 2025: When stimulated by cats or squirrels.

Complainant Rephrased and Clarified Question: July 03, 2025, Does the dog bark, continuous; extended without breaks over a given period, repetitive/habitual; occurring regularly and frequently, impulsive to be extreme short bursts, excessive; more than occasional

Respondent's Second Answer: September 22, 2025, Same response as May 29, 2025. When stimulated by cats or squirrels.

Complainant's Argument: Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. Evades question. The complainant expects a full and complete answer.

The defendant provided an **incomplete and non-responsive** answer by addressing only the *trigger* for the barking ("cats or squirrels") and deliberately ignoring the requested *characteristics* and *frequency* of the noise.

The terms Ms. Andrushko used in her question (**continuous, repetitive/habitual, excessive**) are directly related to the legal standard of **unreasonableness** and **interference with the enjoyment of life or property**.

The defendant's response is a **calculated and willful evasion** of the discovery request that is central to the issue of **unreasonable noise interference**.

13. Please describe in detail the circumstances under which your dog barks. Include, but are not limited to:

(c.) Duration? Daily or Weekly basis?

Complainant Rephrased and Clarified Question: July 03, 2025:

- **Continuous barking for 15-20 minutes or more:** Even if the ordinance doesn't say "15 minutes," a sustained period of barking for this long would likely be considered disruptive by a "reasonable person" standard.

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- **Intermittent barking for extended periods:** For example, barking for 5 minutes, stopping for 2 minutes, then barking for another 7 minutes, and repeating this pattern for an hour or more, especially if it happens multiple times a day or at inappropriate hours (nighttime, early morning).
- **Habitual barking at specific triggers:** A dog that barks for several minutes every time someone walks by, or every time a car passes, resulting in frequent, short bursts of barking that add up to a significant disturbance throughout the day.

Respondent's First Answer: May 29, 2025, The dog has never barked all day or all week.

Respondent's Second Answer: September 22, 2025, The dog has never barked all day or all week.

Complainant's Argument: Same Response. Order by IPCB on August 28, 2025. This is a clear failure to answer. In legal discovery, this is generally unacceptable without a specific, stated objection. Response evades question. The complainant expects a full and complete answer.

An assertion of what **doesn't** happen does not describe what **does** happen.

The interrogatory seeks a description of the circumstances, duration, and frequency of the dog's barking. Respondent's answer, 'The dog has never barked all day or all week,' is a **negative pregnant** that, while stating what doesn't happen, entirely fails to disclose the relevant information about what *does* happen, thereby **frustrating the discovery process.**"

The respondent has twice been notified that this answer is insufficient, yet they re-submitted the identical, inadequate response.

Suggested Language: "Despite two prior Motions to Compel granted by the Board, and being fully aware of the Petitioner's need for a substantive answer, the Respondent has willfully resubmitted the identical, evasive answer on September 22, 2025. This pattern demonstrates bad faith and a willful refusal to comply with the Board's discovery rules and orders."

17. What is your motivation for allowing your dog to bark? Please explain.

Respondent's First Answer: May 29, 2025, Objection. Vague and irrelevant.

Respondent's Second Answer: September 22, 2025, Vague and irrelevant. Further, this allegation assumes facts not in evidence as well as assumes Mr. Egan has a motivation for his dog's barking and again is more appropriately address in a deposition.

Complainant's Argument: Response evades question. Objection is not justified. The complainant expects a full and complete answer without objection. The question is not irrelevant, the relevance to the complainant's claim of damages and respondent's state of mind, and the foreseeability of the accident related to the dog barking.

Complainant's Argument: I will clarify the original question above.

17. (Revised) Ms. Andrushko rephrases and clarifies the question and asks the Board to compel the following, stating that the current answers are insufficient:

17 (a.) Prior to the filing of this Complaint, June 26, 2023, were you aware of any complaints, verbal or written, from the Complainant or any other source, regarding your dog's barking? If so, state the approximate date and nature of each complaint.

17 (b.) Identify all steps, if any, you have taken since June 26, 2023, to prevent your dog from barking excessively on the property. Include the date each step was implemented, and attach copies of any supporting documentation (e.g., receipts for bark collars, contracts with dog trainers, notes from a veterinarian).

26. Do you dispute that the barking of your dog has caused a disturbance to Ms. Andrushko? If so, please state all the reasons for your denial?

Respondent's First Answer: May 29, 2025, Objection. Calls for speculation, is irrelevant and vague.

Respondent's Second Answer: September 22, 2025, Objection. Call for speculation, is irrelevant and vague. Further, the question asks Mr. Egan to guess as to Ms. Andrushko's state of mind. Mr. Egan can state that the dog's barking has never caused a disturbance to anyone else.

Complainant's Argument: Complainant's Response evades question. Object is not justified. The Complainant expects a full and complete answer without objection.

The question is **not speculative**, but rather something the respondent should know or be able to answer and seeks information from the client's knowledge and/or understanding.

The question is **not irrelevant**, the relevance to the Complainant's claim of damages and respondent's state of mind, and the foreseeability of the accident related to the dog barking.

Regarding **relevance**; The question goes to the very heart of the case: **nuisance/disturbance** caused by the dog. It's clearly relevant to the claims and defenses.

Regarding **vagueness**: The term "disturbance" is directly related to the subject matter of a noise complaint and the alleged violation. It is a sufficiently defined term in the context of the IPCB's jurisdiction regarding noise pollution.

Regarding **state of mind**: The question does *not* ask for Mr. Egan's knowledge of your state of mind. Instead, it asks for the **basis of his factual defense**. If he is denying the disturbance, he must have a factual basis (or *contention*) for that denial.

The Respondent must provide the facts that support their position. By refusing to answer, the neighbor is concealing the facts and theories he intends to rely on to prove the dog's barking was **not** a disturbance. This defeats the purpose of discovery, which is to simplify and narrow the issues.

Complainant's Argument: I will clarify the original question above.

26. (Revised) Ms. Andrushko rephrases and clarifies the question and asks the Board to compel the following, stating that the current answers are insufficient:

Please state all facts, reasons, and evidence upon which you rely to support your defense that the barking of your dog does not constitute a noise violation or an unreasonable disturbance as alleged in the Complaint. For each reason, identify all supporting documents and witnesses.

27. Describe your understanding of local noise or nuisance ordinances related to dog barking.

Respondent's Answer: May 29, 2025, Objection. More appropriately answered in a deposition, is irrelevant and vague.

Respondent's Answer September 22, 2025, Objection. More appropriately answered in a deposition, is irrelevant and vague, and calls for a narrative answer again more appropriately address in a deposition. Mr. Egan has never been cited for a violation of any local noise or nuisance ordinances.

Complainant's Argument: The answer is non-responsive. Order by IPCB on August 28, 2025. This is a clear failure to answer. Response evades question. Objection is not justified. The Complainant expects a full and complete answer without objection.

Regarding **relevancy:** The IPCB is hearing a complaint about a noise nuisance. The core of your case is that the dog's barking **unreasonably interferes with the enjoyment of your life and property**, which is a key component of a nuisance claim under Illinois law.

- The Respondent's **understanding** of what constitutes a violation or nuisance is directly relevant to whether they are acting in good faith to correct the problem or if they can even **perceive** that a violation is occurring. It goes to the issue of **intent, knowledge, or willfulness** in allowing the noise to continue, which can be relevant to the Board's decision on a civil penalty or abatement order.

Regarding **vague:** The question is straightforward: "**Describe your understanding...**" This is not a vague request; it clearly asks for a description of the Respondent's knowledge or belief regarding a specific topic.

While an interrogatory answer should be "full" and "separate," the nature of your question—"Describe your understanding..."—is inherently descriptive. Illinois Supreme Court rules (which the IPCB often looks to for guidance when its rules are silent) permit interrogatories that call for a **narrative** if it is the only way to obtain a full and complete answer. A simple "yes" or "no" or a one-word answer would not be a "full" response, as required by the IPCB's rules for interrogatories.

"Mr. Egan has never been cited for a violation..." is a partial answer but **does not address the question**. Whether he has been *cited* is a separate fact from **whether he understands the ordinance**.

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Many complaints are brought by private citizens before the IPCB, often because local authorities haven't enforced the issue or don't have jurisdiction over the specific type of noise pollution. Ms. Andrushko is asking for Mr. Egan's **knowledge** of the law, not his **citation history**.

Conclusion:

The lack of complete answers by the respondent is prejudicing the Complainant's ability to prepare her case.

Request the Hearing Officer the power to compel compliance and, for willful non-compliance, to impose sanctions like deeming facts admitted, asserting costs for an unreasonable failure to comply with discovery rules.

Request the Hearing Officer the power to grant in favor of Complainant, Ms. Andrushko's, Summary Judgement date stamped and filed with the Clerk's Office on May 28, 2025.

Request for sanctions against the Respondent, Thomas E Egan and attorney, David A Fewkes, Walsh, Fewkes & Sterba for their failure to comply.

Request the Hearing Officer deem the facts in the interrogatory to be admitted to the case, as follows:

(9 c) Due to their refusal to answer, the respondent is deemed to **admit that Mr. Egan does *not* teach boundaries** or have any relevant documentation.

(9 d) Due to their refusal to answer, the Respondent is deemed to **admitted that Mr. Egan has taken NO steps** to eliminate the excessive barking.

(13 b) Due to their refusal to answer, the Respondent is deemed "excessive and continuous" or in your favor because the defendant refuses to answer truthfully.

The Complainant respectfully requests the Board grant the Complainant relief.

Respectfully Submitted

By: Anna Andrushko

Anna Andrushko

CERTIFICATE OF SERVICE

I, Anna Andrushko, do hereby certify that, on this October 20, 2025, 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.