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JAN - 8 2004

STATE OF ILLINOIS  
POLLUTION CONTROL BOARD

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )

BEFORE THE 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. )

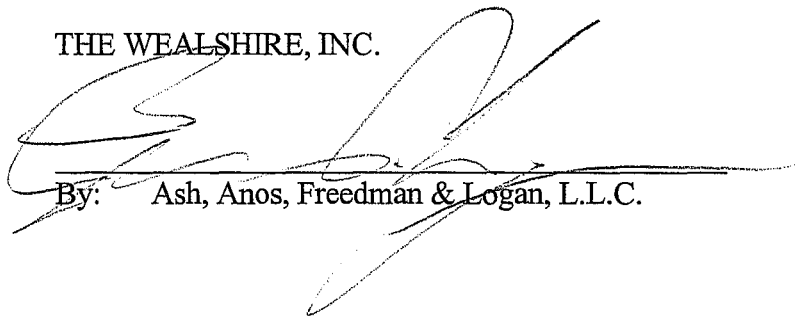
NOTICE OF FILING

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 8<sup>th</sup> day of January, 2004, there was filed with the Illinois Pollution Control Board Respondent's Responses To Complainants' First Request For Production Of Documents, a copy of which is attached and herewith served upon you.

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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POLLUTION CONTROL BOARD

AFFIDAVIT OF SERVICE

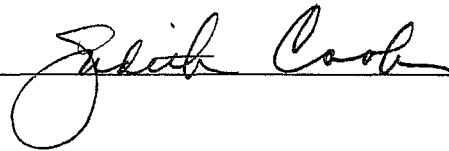
The undersigned, being first duly sworn on oath, deposes and says that she served the above and foregoing Notice of Filing and Responses to Complainants' First Request

For Production of Documents 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 January 8, 2004, with proper postage prepaid.

  
\_\_\_\_\_

Subscribed and sworn to before me

this 8<sup>th</sup> day of January, 2004

  
\_\_\_\_\_

NOTARY PUBLIC  
ROBERTA MEREDITH  
NOTARY PUBLIC, STATE OF ILLINOIS  
JAN 08 2004

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

MORRY GABEL, MYRA GABEL, )  
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Respondent. )

RESPONSES TO COMPLAINANTS'

FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, THE WEALSHIRE, INC., an Illinois Corporation, and in response to the Complainants' First Request For Production Of Documents, states as follows:

1. Copies of any and all blue prints and related documents for The Wealshire, Inc., specifically including any blue prints relating to the complained of air conditioning units and fans, the building and premises.

**RESPONSE:** These will be produced to the extent they can be located.

2. All documents and written instructions in your possession, control, or custody on measures to reduce the noise of the complained of air conditioning units and fans.

**RESPONSE:** See the materials from O'Neill Engineered Systems (herein "O'Neill Materials").

3. Any and all documents relating to any sound level measurements taken on your property of any sound or noise of any kind which emitted from the Wealshire, Inc.'s property, including, but not limited to the results of any such testing of the air conditioners at issue.

**RESPONSE:** See the O'Neill Materials.

4. Any and all documents relating to any complaints you may have received or conversations regarding any complaints related to any noise from your facility.

**RESPONSE:** None other than the formal Complaint, though we are trying to locate a letter that may have been sent by one of the Complainants prior to the filing of the formal Complaint.

5. Any and all documents in your possession, control, or custody, relating to any complaints made to any governmental agency regarding any noise from your facility.

**RESPONSE:** None other than the formal Complaint.

6. Any and all documents, materials, warranties, instructional materials, invoices, pamphlets or otherwise relating to the air conditioner unit, fans and materials.

**RESPONSE:** This will be produced.

7. Any and all information, copies of communication or other documents received from Trane, the manufacturer of the air conditioning units at issue, and/or any supplier of Trane.

**RESPONSE:** See O'Neill Materials.

8. Any and documentation or estimates you may have obtained regarding the cost to relocate the air conditioners at issue to another area away from the residential housing.

**RESPONSE:** None.

9. Copies of any and all plans and specifications you may have received for any sound barriers or other devices that would affirmatively reduce all noise violations to levels not in violation of current laws.

**RESPONSE:** See O'Neill Materials.