

LAW OFFICES OF
SHRIVER, O'NEILL & THOMPSON515 NORTH COURT STREET
ROCKFORD, ILLINOIS 61103-6807
TELEPHONE (815) 963-4895
FAX (815) 963-4904
WWW.SOTLAW.NETBOONE COUNTY OFFICE
930 WEST LOCUST STREET
BELVIDERE, ILLINOIS 61008
TELEPHONE (815) 547-5402
FAX (815) 547-5403DONALD L. SHRIVER
JAMES C. THOMPSON
DONALD P. SHRIVER
JOYCE O'NEILL AUSTIN, Of COUNSEL
GAIL CARTER MILLER, Sr. LEGAL ASSISTANT

July 5, 2013

Invenergy, LLC
One South Wacker Drive, Suite 1900
Chicago, IL 60606
ATTN: Mr. Joe Condo, General Counsel

RE: Mr. and Mrs. Theodore Hartke, 2121 E. 2350 N. Road, Fithian, Illinois

Dear Mr. Condo:

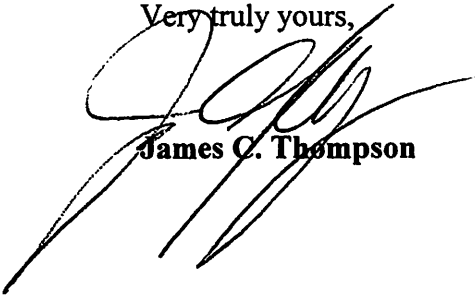
Please be advised my office has been contacted by Mr. and Mrs. Hartke in conjunction with their issues with the wind turbines installed by your company surrounding their residence. They have provided me copies of various emails and other correspondence regarding their situation, as well as summaries of the physical injuries they have suffered as a result of the operation of these turbines. Attempts to redress their damages directly to your company met with small temporary actions (turning off turbines, which is no longer done, during especially noisy periods), and contact with public officials has resulted in little, if any, cooperation from many in those roles.

There is no doubt that your operation of these turbines constitutes a nuisance to the adjacent landowners (the Hartkes). Documentation of the periodic vibrations and noise pollution emanating from the turbines is substantial, resulting in not only nights upon nights of sleep deprivation but also other medical symptoms and conditions. Medical examination of the Hartkes bears this conclusion out, as Mr. Hartke's physician has noted injuries caused by sleep deprivation. This conclusion is also consistent with medical research and literature acknowledging the association with wind turbines and adverse health effects. Quite simply, the use of your turbines is making the Hartke family of four sick and has eliminated their peaceful enjoyment of their property.

Attempts at meaningful and permanent resolution has been thwarted at every step. Retrofitting their residence is cost-prohibitive and will likely not eliminate the issues the Hartkes are experiencing. In addition, any such remedial actions fail to address the continued impact on any activity located at their property outside the house itself (outbuildings, yard, etc.). It is of important note that they purchased the property in the country for quiet, peaceful living with their children – then your company arrived and interfered with that tranquility. Whether consistent with an ordinance or not, the damage has been (and continues to be) done.

In an attempt to minimize these damages, demand is hereby made that you cease operation of the two turbines nearest to the Hartke residence (#57 and #75) – until they are no longer owners of that property or until some other resolution is reached. If this demand is not addressed in a satisfactory manner in the next ten (10) days, I will discuss further options available to the Hartkes, including both civil and administrative action governing the noise pollution and other nuisances created by these turbines. I trust further steps will not be necessary - but that all depends on your company's timely response.

Very truly yours,


James C. Thompson

JCT/mj

cc: Atty. Michael Blazer