

## CASE 2

Glen and Joy Stiller had lived in their neighborhood—Placid Park—for fifteen years before Blair and Belle Clanghorne built a house on the lot next door and moved in. For a full year before they arrived, the builders had been banging and sawing away at odd hours, seeming to prefer working only on nights and weekends. The Stillers had hoped the noise level would drop when the construction was complete, but they were mistaken. In July, the Clanghorns arrived with their five children and two nervous dogs, and proceeded to celebrate their new house every weekend during August.

Placid Park is a rural subdivision just outside the recently incorporated village of Forest Green, Texas, which is thirty miles away from any town and sixty miles from any city. When the Stillers first arrived, Forest Green had only one stoplight. Now there were four. Fifteen years earlier, Forest Green had not even been a township, only a loose collection of houses, retail stores, and retirement communities. But as more people discovered the joys of living closer to nature and away from the hassles of the city, the village grew. Eventually the residents voted to incorporate. Only a few laws were on the books at the time the Clanghorns arrived - and nothing similar to a nuisance ordinance, so the Stillers knew they could not turn to the village for help.

The lots in Placid Park are big enough to ensure a certain amount of privacy: nothing smaller than two acres is permitted. Nevertheless, sound travels far in rural areas. The PP Property Owners' Association had passed several deed restrictions, but those only covered the appearance and the upkeep of property, not the noise level. The Stillers decided to wait and see if their neighbors quieted down when the novelty of the new house wore off.

The Clanghorns did not just happen to pick the house next door from among all the vacant lots: they particularly wanted that one. The lot, as well as that of the Stillers, lay on the perimeter of Placid Park. Their back yards bordered on a sixty-acre tract of land, entirely outside the subdivision, owned by Mrs. Clanghorne's parents. The Stillers had frequently heard, to their irritation, loud noises from an unmuffled recreational four-wheeler that the various Clanghorns enjoyed racing up and down a hill in the sixty-acre lot just beyond the property lines.

On Labor Day, the Stillers suffered through two hours of unbearable racket as friends of the Clanghorns brought over three more four-wheelers and tore around the neighborhood, doing wheelies and racing up and down the once peaceful streets. Finally fed up, the Stillers approached their neighbors and asked them not to make so much noise. Belle Clanghorne said, "I can sort of understand your feelings, but one of the reasons we moved out to the country was so we could do this sort of stuff. You know, they won't let you have these things in the city. We're just thinking about buying another four-wheeler, and our friends have brought them over for us to try out." Glen Stiller replied, "This isn't the country. This is a neighborhood. You're not the only ones who live here. Please show a little respect for everyone else." Soon, the noise stopped, but

within twenty minutes started up again, only this time in the sixty acres just behind their houses. The noise continued for another two hours.

The next morning, on wild hunch, Glen Stiller went online and googled the phrase “directional speakers.” To his grim satisfaction, he discovered a small company with a revolutionary product that “up converted” audible sound waves into ultrasound, and beamed them in a focused ray that could not be heard. When the ray struck an object, like a wall, or a window, the waves “down converted” back into audible sound and effectively turned the object itself into a loudspeaker. A person actually standing in the beam would hear the sound as though it came from inside his or her head. The device was intended for use as a cheap substitute for a loudspeaker in places where a traditional sound system would be too difficult or expensive to install. But Glen suspected the Clanghorne’s dining room window would make a nice loudspeaker for a really obnoxious racecar video game he had just bought. It wouldn’t have to be too loud, not loud enough to bother anyone but the Clanghornes.